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:	2026/70/91760/E
Site Address:	1-22, The Arcade, 14 & 16, Corporation Street, 23 & 25, Market Place, Dewsbury, WF13 1QG
Description:	Variation of Conditions 2 (plans), 3 (gates and fanlights), 4 (hanging signage), 5 (roof colour scheme), 7 (M&E details), 8 (roof edge protection), 9 (trickle vents) and 10 (historic floor finish on 2nd floor) of previous Listed Building Consent 2023/91135 for Variation of condition 2 (plans) of previous Listed Building Consent 2021/93191 for internal and external alterations (within a Conservation Area)
Recommending Officer:	Jillian Rann

DECISION – S19 Variation of Condition – Approve

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.

Nick Hirst

AUTHORISED OFFICER

Date: 19-Oct-2026

Application: 2026/91760

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

Proposal: Variation of Conditions 2 (plans), 3 (gates and fanlights), 4 (hanging signage), 5 (roof colour scheme), 7 (M&E details), 8 (roof edge protection), 9 (trickle vents) and 10 (historic floor finish on 2nd floor) of previous Listed Building Consent 2023/91135 for Variation of condition 2 (plans) of previous Listed Building Consent 2021/93191 for internal and external alterations (within a Conservation Area)

Procedural Matters

Kirklees Council is the applicant for this application for Listed Building Consent. Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) requires that applications for Listed Building Consent which are made by a local authority are referred to the Secretary of State for determination where the local planning authority has received an objection from Historic England or a national amenity society and do not propose to refuse the application.

Historic England and the national amenity societies have been consulted on this application, as statutory consultees. No objection has been received from Historic England or from any national amenity society. It is therefore considered that the application can be determined by the local planning authority.

Site Description

The application relates to 'The Arcade', a shopping arcade dating from 1899, in Dewsbury town centre. 'The Arcade' is a grade II listed building which comprises the properties at 23-25 Market Place, 1-22 The Arcade and 14-16 Corporation Street, Dewsbury, according to the list description.

The site is also within the Dewsbury Town Centre Conservation Area, and there are numerous other listed buildings nearby.

Following a period of closure, planning permission was granted for The Arcade in March 2022 for:

> *"Alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment"* (application reference: 2021/93190, hereafter referred to as 'the original planning permission').

An accompanying application for Listed Building Consent for associated internal and external alterations was approved in March 2022 (application reference: 2021/93191, hereafter referred to as 'the original LBC').

A ‘Section 73’ application to vary condition 2 (plans) of the original planning permission was approved in June 2023 (application reference: 2023/91134, hereafter referred to as ‘the 2023 S73 permission’).

A ‘Section 19’ application to vary condition 2 (plans) of the original LBC was approved in June 2023 (application reference: 2023/91135, hereafter referred to as ‘the 2023 S19 Listed Building Consent’).

Description of Proposal

This application is a further application to vary conditions on the 2023 S19 Listed Building Consent, via Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

The proposed variations include further amendments to the previously approved plans.

The current application also seeks to vary the wording of several other conditions on the 2023 S19 Listed Building Consent to refer to approved details (rather than requiring details to be submitted and approved), where details required by those conditions have now been submitted and approved, and also seeks the approval of relevant details pursuant to other conditions on the 2023 S19 Listed Building Consent.

The following conditions on the 2023 S19 Listed Building Consent are proposed to be varied:

<u>Condition 2 (plans)</u>

A number of amendments are proposed to the previously approved scheme. The proposed amendments are set out in full in a Schedule of Amendments table which has been submitted as part of the application, and include:

- Replacement of some elements of existing building fabric which were previously proposed to be retained (where historic fabric has been found to be damaged for example);
- Amendments to some aspects of the proposed internal layout (including changes relating to fire safety for example);
- Removal of later additions which were previously proposed for retention, including storage deck above unit 30, modern rooftop walkway, modern splayed window boxes, modern cement-based render (to be replaced with traditional lime-based render);
- Reduction in the number of proposed new rooflights
- Installation of “*additional steel principal rafters to carry the roof load and relieve the existing cast iron trusses of their existing load. Cast iron trusses to remain in location and be resupported from the new steel rafters.”*

The wording of condition 2 is as follows:

"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."*

The wording of condition 2 is proposed to remain the same, but the plans and specifications schedule referred to therein is proposed to be amended to refer to revised versions of some of the plans/documents, to allow for the proposed amendments to various aspects of the previously approved development.

Condition 3 (details of gates and fanlights)

The current wording of condition 3 is:

"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."*

Details have been submitted for approval as part of the current application which seek to address the requirements of condition 3, and it is proposed that the wording of condition 3 is varied to require the works to be carried out in accordance with those submitted details. The following revised wording is proposed:

"The decorative gates and fanlights to each end of the Arcade, and the central stairway gates shall be implemented and retained thereafter in full accordance with the approved details contained in [list of relevant submitted details]*".*

Condition 4 (hanging signage within the arcade)

The current wording of condition 4 is:

"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."*

An application for the approval of details pursuant to condition 4 was approved in September 2024 (application: 2024/92384). The current application seeks to vary the wording of condition 4 to make it a 'compliance condition', requiring the works to be carried out in accordance with the details thereby approved. The following revised wording is proposed:

"The hanging signage within the Arcade shall be implemented and retained thereafter in full accordance with Hanging Signage Details (1705-BDP-AD-00-DT-A-20005 C01), discharged under [relevant discharge of conditions application]*."*

Condition 5 (colour scheme of the central arcade roof)

The current wording of condition 5 is:

"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."*

An application for the approval of details pursuant to condition 5 was approved in September 2024 (application: 2024/92384). The current application seeks to vary the wording of condition 5 to make it a 'compliance condition', requiring the works to be carried out in accordance with the details thereby approved. The following revised wording is proposed:

"The colour scheme of the central arcade roof shall be implemented and retained thereafter in full accordance with Roof Truss Colour Scheme Details (1705-BDP-AD-RF-DT-A-27001 C01), discharged under [relevant discharge of conditions application]*."*

Condition 7 (M&E installations and fittings)

The current wording of condition 7 is:

"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."*

Details have been submitted for approval as part of the current application which seek to address the requirements of condition 7, and it is proposed that the wording of condition 7 is varied to require the works to be carried out in accordance with those submitted details. The following revised wording is proposed:

"The M&E installations and fittings shall be implemented and retained thereafter in full accordance with the approved details contained in [list of relevant submitted details]*."*

Condition 8 (proposed roof edge protection and perimeter details)

The current wording of condition 8 is:

"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."*

Details have been submitted for approval as part of the current application which seek to address the requirements of condition 8, and it is proposed that the wording of condition 8 is varied to require the works to be carried out in accordance with those submitted details. The following revised wording is proposed:

"The proposed roof edge protection and perimeter details shall be implemented and retained thereafter in full accordance with the approved details contained in [list of relevant submitted details]*."*

Condition 9 (trickle vent details for the sash windows)

The current wording of condition 9 is:

"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."*

An application for the approval of details pursuant to condition 9 was approved in September 2024 (application: 2024/92384). The current application seeks to vary the wording of condition 9 to make it a 'compliance condition', requiring the works to be carried out in accordance with the details thereby approved. The following revised wording is proposed:

"The trickle vents for the sash windows shall be implemented and retained thereafter in full accordance with Window Trickle Vents Details (1705-BDP-AD-XX-DT-A-31104 C01), discharged under [relevant discharge of conditions application]*."*

Condition 10 (decorative historic floor finish on second floor to be conserved and retained)

The current wording of condition 10 is:

"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."*

Details have been submitted for approval as part of the current application which seek to address the requirements of condition 10, and it is proposed that the wording of condition 10 is varied to require the works to be carried out in accordance with those submitted details. The following revised wording is proposed:

"The decorative historic floor finish on the second floor shall be conserved and retained in full accordance with the approved details contained in [list of relevant submitted details]*."*

Accompanying S73 application

A separate application to vary conditions on the 2023 S73 permission has also been submitted, and is currently under separate consideration (application 2026/91758).

Relevant Planning History

Application Site

The following planning history relating to the application site is most directly relevant to the current Section 19 application:

Full site

2021/93190 – Alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment ('the original planning permission'). Approved 04/03/2022.

2021/93191 – Listed Building Consent for internal and external alterations ('the original Listed Building Consent'). Approved 04/03/2022.

2023/91134 – Variation of condition 2 (plans) of previous permission 2021/93190 for alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment ('the 2023 S73 permission'). Approved 23/06/2023.

2023/91135 – Variation of condition 2 (plans) of previous Listed Building Consent 2021/93191 for internal and external alterations ('the 2023 S19 Listed Building Consent'). Approved 23/06/2023.

2024/90504 – Discharge of condition 14 (access) of previous permission 2023/91134 for variation of condition 2 (plans) of previous permission 2021/93190 for alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment. Approved 10/04/2024.

2024/90165 – Discharge of condition 23 (archaeological recording) of previous permission 2023/91134 for variation condition 2 (plans) of previous permission 2021/93190 for alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment. Approved 07/03/2024.

2024/92384 – Discharge of details reserved by conditions 4 (signage), 5 (colour scheme), 9 (trickle vent details) on previous permission 2023/91135 for variation condition 2 (plans) on previous Listed Building Consent 2021/93191 for internal and external alterations. Approved 27/09/2024.

2024/92386 – Discharge details reserved by conditions 16 (signage), 17 (colour scheme) and 21 (trickle vent details) of previous permission 2023/91134 for variation condition 2 (plans) on previous permission 2021/93190 for alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment. Approved 19/09/2024.

2026/91758 – Variation of Conditions 2 (plans), 14 (construction traffic access), 15 (gates and fanlights), 16 (hanging signage), 17 (roof colour scheme), 19 (M&E details), 20 (roof edge protection), 21 (trickle vents), 22 (historic floor finish on 2nd floor) and 23 (archaeological recording) of previous permission 2023/91134 for Variation of condition 2 (plans) of previous permission 2021/93190 for alterations to the building and material change of use of units to flexible uses falling within Use Classes E (a), (b), (c), (d), (g(i)), (g(iii)), public house/wine bar/drinking establishment. Pending consideration.

Unit 24 (within the current application site)

The following applications relate to one of the units within The Arcade, Unit 24:

2026/91544 – Alterations to convert to opticians. Approved 07/08/2026.

2026/91616 – Listed Building Consent for alterations to convert to opticians. Approved 07/08/2026.

Buildings at the northern end of The Arcade (within the current application site)

The following applications relate to the buildings at the northern end of The Arcade:

2025/90996 – Listed Building Consent for installation of 22 no. solar photovoltaic (PV) panels within the rear roof pitch of the northern entrance buildings to Dewsbury Arcade. Approved 16/06/2025.

2025/91566 – Installation of 22 no. solar photovoltaic (PV) panels. Approved 31/07/2025.

Other applications

Other planning history relating to the site includes older applications for planning permission and Listed Building Consent, including in relation to shop fronts, lighting, security grilles to the ends of the Arcade, and repainting.

<u>Surrounding Area</u>

The following applications relate to the adjacent building at 18-20 Corporation Street/ 17 Foundry Street, including in relation to works which are associated with the works at The Arcade to which this application relates, including the provision of a lift for access to parts of The Arcade development.

2022/91006 – Alterations to building including new entrance, installation of lift core and staircase and new internal openings and change of use for flexible uses falling within use class E a, c, d, g(i). Approved 10/06/2022.

2022/91007 – Listed Building Consent for alterations to building including new entrance, installation of lift core and staircase and new internal openings. Approved 10/06/2022.

2026/91709 – Variation of condition 2 (plans) on previous permission 2022/91006 for alterations to building including new entrance, installation of lift core and staircase and new internal openings and change of use for flexible uses falling within use class E a, c, d, g(i). Pending consideration.

2026/91710 – Variation of condition 2 (plans) on previous permission 2022/91007 for Listed Building Consent for alterations to building including new entrance, installation of lift core and staircase and new internal openings. Pending consideration.

Other planning history relating to that neighbouring building includes other applications for planning permission for changes of use, applications for Listed Building Consent for alterations, and applications for advertisement consent for signage.

History of Negotiations

None.

Planning Policy

Kirklees Local Plan (the Local Plan)

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 27th February 2019).

The Arcade (incorporating 23-25 Market Place, 1-22 The Arcade and 14-16 Corporation Street) is a grade II listed building. The site is within Dewsbury Town Centre Conservation Area and is close to other listed buildings.

The following Local Plan policies are relevant:

- **LP1** – Presumption in favour of sustainable development
- **LP2** – Place shaping
- **LP24** – Design
- **LP35** – Historic environment

Neighbourhood Planning

The site does not fall within a Neighbourhood Plan Area.

Relevant legislation

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that, in considering whether to grant listed building consent for any works, 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 site is within a conservation area. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that, in the exercise of planning functions, with respect to any buildings or other land in a conservation area, "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

National Policies and Guidance

National planning policy and guidance is set out in the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG), together with Circulars, Ministerial Statements and associated technical guidance.

Since the original Listed Building Consent and the 2023 Listed Building Consent were approved, a revised NPPF has been published, on 17/08/2026. The revised NPPF is a material consideration and has been taken into account as part of the assessment of the proposals. National decision-making policies (NDMPs) in the NPPF which are relevant in this case are:

- **DM1** – Preparing development proposals
- **DM3** – Determining development proposals
- **DM6** – Use of planning conditions and obligations
- **DP3** – Key principle for well-designed places
- **DP4** – The design process
- **HE4** – Securing the conservation of heritage assets
- **HE5** – Assessing effects on heritage assets
- **HE6** – Proposals affecting designated heritage assets
- **HE9** – Conservation areas
- **HE10** – Loss or removal of heritage assets

Climate change

The Council approved Climate Emergency measures at its meeting of full Council on 16/01/2019, and the West Yorkshire Combined Authority has pledged that the Leeds City Region would reach net zero carbon emissions by 2038. A draft Carbon Emission Reduction Pathways Technical Report (July 2020, Element Energy), setting out how carbon reductions might be achieved, has been published by the West Yorkshire Combined Authority.

On 12/11/2019 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 would use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

Consultation Responses

Historic England

> *"It is regrettable that the delay in starting work on this significant part of Dewsbury town centre's heritage has resulted in additional deterioration of the building. The proposals to remedy this, however, appear proportionate and well thought-through, and we do not have concerns about the approaches outlined in the applications. We look forward to seeing the arcade brought back into use in the near future.*
>
> ***Recommendation***
>
> *Historic England recommends that your Council should approve these applications, which would secure the conservation of The Arcade, Dewsbury, unless it finds that other considerations would outweigh this benefit."*

K.C. Conservation and Design

Comments provided regarding each of the proposed amendments, as set out in the Summary of Amendments document received as part of the application. [These are discussed in more detail in the assessment section below].

Note that conditions 4, 5 and 9 have been discharged previously.

Note that details have been submitted for approval in relation to conditions 3, 7, 8 and 10. No objection to the variation of these conditions.

Conclusion:

> *"Conservation and Design consider the submitted details to be acceptable and sufficient to allow the variation of the conditions outlined above.*
>
> *The proposed amendments will in some cases result in a positive effect on the significance of the listed building, where additional harm has been identified this is at a minimal or low level and has been accompanied by a clear and convincing justification why this additional harm is required. It is therefore considered that the proposed amendments are in accordance with Section 66 and 72 of the Planning (Listed Building & Conservation Areas) Act (1990), Chapter 20 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan."*

National Amenity Societies

No comments received to date.

Public Representations

Final publicity date expired: 04/09/2026.

The application has been advertised as an application for Listed Building Consent, affecting the setting of listed buildings, and within a conservation area, via site notices, posted 06/08/2026 and a press notice, published 13/08/2026. This is in line with the Council's adopted Statement of Community Involvement.

No public representations have been received to date.

The Ward Members for the area were also notified of the application. No comments have been received from Ward Members to date.

Main Issues

This application is made under Section 19 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), which allows for application to the local planning authority for the variation of conditions where Listed Building Consent has been granted subject to conditions.

The main issues in this case are whether the proposed variations to the relevant conditions of the previous (2023 S19) Listed Building Consent would be acceptable, including with reference to whether the proposed variations would preserve the grade II listed building, 'The Arcade', including any features of special architectural or historic interest which it possesses, and the effects of the proposed variations on the settings of other nearby listed buildings and on the character and appearance of the Dewsbury Town Centre Conservation Area.

As this is a 'Section 19' application to vary conditions on an existing Listed Building Consent, the assessment of the application is limited to matters arising as a result of the proposed variations to those conditions, including the effects of those variations on the designated heritage assets identified above.

Changes to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. In this case, the publication of the updated NPPF in August 2026 represents a material change to national planning policy since the previous approvals. This has been considered in the assessment of relevant matters below, taking into account the previously granted consents and that the principles of the proposed works have been accepted through the granting of those previous consents.

Assessment of Main Issues

Comments received from consultees are noted and have been considered as part of the assessment of the application.

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that, in considering whether to grant listed building consent for any works, 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(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that, in the exercise of planning functions, with respect to any buildings or other land in a conservation area, "special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

Proposed variation of Condition 2 (plans)

Many of the proposed amendments to the plans relate to minor changes to the internal layout of the building, or to the extent of existing fabric which is proposed to retained and/or replaced, compared with the previously approved scheme.

The Conservation Officer has noted that some of the proposed works would result in additional harm to the listed building due to the loss of some additional historic fabric (as specifically set out in the submitted Schedule of Amendments) compared with the previously approved scheme. This includes:

- the proposed replacement of some additional areas of existing timber floor structures;
- the removal of an existing floor hatch to Unit 30 which was previously proposed to be retained;
- the replacement (rather than retention) of a number of additional sash windows (in addition to some which had previously been approved for replacement),;
- the replacement (rather than retention) of some ceiling areas and some areas of walling which were previously proposed to be retained and repaired.

In each of these instances, justification for the proposed changes has been provided, including with reference to matters including the identification of further areas of rot, or structural issues. In each of those cases where the Conservation Area has identified additional harm, they have advised that level of additional harm would be 'low' or 'minimal', and has noted that the harm is justified, and the reasons why they consider that to be the case (including with reference to the presence of wet and/or dry rot in some cases, the condition of the material in some instances, and structural and/or safety issues which have been identified in some cases). They have concluded that *"where additional harm has been identified this is at a minimal or low level and has been accompanied by a clear and convincing justification why this additional harm is required".*

In other regards, the Conservation Officer has identified that some of the proposed amendments would result in *"No additional harm".* This includes:

- Minor changes to the positions of new partitions and/or openings;
- Replacement of some modern additions/works;
- Dismantling and rebuilding 2 existing chimneys which have been found to be *"in a poor condition"* – the submitted information states that the works now proposed would be to *"Carefully dismantle and rebuild the chimneys straight and plumb, reusing the existing stone wherever possible and supplementing with new to match"*;
- Replacement of plaster arches beneath either end of the glazed roof to the central arcade, following further assessment of their condition;
- Amendments to proposals for the gutter and rainwater pipe to the rear elevation of the Market Place building, compared with previously approved scheme;
- Amendments to some aspects of the proposals for the glazed roof structure to the Central Arcade, including to *"Install additional steel principal rafters to carry the roof load and relieve the existing cast iron trusses of their existing load. Cast iron trusses to remain in location and be resupported from the new steel rafters."*

The Conservation Officer has advised that other aspects of the proposed amendments would reduce the level of harm, or have a positive effect, compared with the previously approved scheme. This includes:

- Removal of a timber joisted storage deck above Unit 30, *"to return the space to its original configuration. Omit the ladder and access hatch previously proposed"*;
- Omission of a new door opening previously approved in Unit 29;
- Reduction in the number of rooflights proposed to the first floor units in the Central Arcade;
- Removal of modern, covered rooftop walkway from part of the existing roof, *"and continue the form of the original slate roof covering over this area of the roof"*;
- Removal of modern splayed window boxes in parts of Central Arcade and *"redecorate the original panelling to the same specification as is already proposed for the sash windows"*;
- Careful removal of existing render (found to be modern and cement-based on inspection) and replacement with traditional lime-based render;
- Repair and retention of further historic sash windows which *"were found encapsulated between the blockwork and internal linings"* to the rear of Unit 26.

Overall, having commented on each of the specific proposed amendments, the Conservation Officer has concluded that:

> *"Conservation and Design consider the submitted details to be acceptable and sufficient to allow the variation of the conditions outlined above.*

The proposed amendments will in some cases result in a positive effect on the significance of the listed building, where additional harm has been identified this is at a minimal or low level and has been accompanied by a clear and convincing justification why this additional harm is required. It is therefore considered that the proposed amendments are in accordance with Section 66 and 72 of the Planning (Listed Building & Conservation Areas) Act (1990), Chapter 20 of the National Planning Policy Framework and Policy LP35 of the Kirklees Local Plan."

Historic England has made the following comments regarding the application, and have recommended that the Council approves the application:

"It is regrettable that the delay in starting work on this significant part of Dewsbury town centre's heritage has resulted in additional deterioration of the building. The proposals to remedy this, however, appear proportionate and well thought-through, and we do not have concerns about the approaches outlined in the applications. We look forward to seeing the arcade brought back into use in the near future."

In the light of the relatively minor changes now proposed, and taking into account Historic England's comments and the Conservation Officer's specific comments regarding the 'low' or 'minimal' extent of additional harm and the justification for that harm, and that other aspects of the proposals would result in less harm, or additional benefits, compared with the previously approved scheme, and the Conservation Officer's overall conclusions as quoted above, it is considered that the proposed amendments would be acceptable. The additional harm is noted. However, the public benefits of bringing the building back into use to provide new retail, commercial and community uses, including social, environmental and economic benefits as part of the regeneration of Dewsbury Town Centre, are considered to outweigh the harm identified in this instance.

It is therefore considered that the proposed amendments to the scheme, as shown on the plans and explained in the documents submitted with this application, are acceptable, including with regard to their impacts on the grade II listed building, 'The Arcade', the settings of other nearby listed buildings and the character and appearance of the Dewsbury Town Centre Conservation Area.

It is therefore considered that the proposed changes would not conflict with Local Plan Policies LP24 or LP35, or with NDMPs HE4, HE5, HE6 or HE9 of the revised NPPF with regard to impacts on heritage assets, including conservation areas and other designated heritage assets.

In the light of the above, whilst the wording of condition 2 would not change, it is recommended that the Plans and Specifications schedule referred to in condition 2 is revised accordingly, to include those revised plans and documents and omit previous/superseded versions as applicable.

<u>Proposed variation of condition 3 (details of gates and fanlights)</u>

Condition 3 requires the submission of specified details for the approval of the LPA. The current application seeks the approval of relevant details pursuant to the requirements of condition 3, and seeks to vary condition 15 to require the works to be carried out in accordance with those details.

In that regard, the following details have been submitted by the applicant as part of this application:

- Units 8 & 11 Internal Gates General Arrangement drawing number: 24102-DR-C-0101 Rev P02;
- General Arrangement Corporation Street Entrance drawing number: 24102-DR-T-0200 Rev P05;
- General Arrangement Market Place Entrance drawing number: 24102-DR-T-0202 Rev P12.

The Conservation Officer has noted the submission of those details listed above, and has provided the following comment:

> *"The necessary information has therefore been provided to assess the impact upon the character and significance of the listed building and the details are found to be satisfactory. The conservation and design team have no objection to the variation of Condition 3."*

The submitted details include details of the design of the proposed gates, together with details of their fixings, and their colour (RAL 7013). Details have also been provided with regard to the design of the fanlight to the Corporation Street entrance. The fanlight to the Market Street entrance is a bespoke stained glass panel. Details of the specific design of the stained glass panel have not been submitted. However, the drawings include references to glazing in the fanlight, and it is considered that sufficient information has been received for the purposes of the requirements of condition 3. Therefore, and having regard to the Conservation Officer's comments as quoted above, it is considered that the submitted details are acceptable with reference to the details required by condition 3.

It is therefore recommended that condition 3 is varied to require the works to be carried out in accordance with the submitted details, thus clearly and precisely specifying the approved details and allowing the LPA to retain control over the carrying out of the works.

Accordingly, the following revised wording for condition 3 has been agreed with the applicant and is recommended:

> *"The decorative gates and fanlights to each end of the arcade, and the central stairway gates, shall be installed in complete accordance with the following details, including with regard to their design, colour and fixing methods:*

- *Units 8 & 11 Internal Gates General Arrangement drawing number: 24102-DR-C-0101 Rev P02;*
- *General Arrangement Corporation Street Entrance drawing number: 24102-DR-T-0200 Rev P05;*
- *General Arrangement Market Place Entrance drawing number: 24102-DR-T-0202 Rev P12.*

The development shall thereafter be retained in accordance with those details hereby approved.
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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework."*

Proposed variation of condition 4 (hanging signage within the arcade)

Details have previously been submitted to, and approved by, the LPA pursuant to condition 4, under Discharge of Conditions application reference: 2024/92384.

The current application seeks to vary the wording of condition 4 to make it a 'compliance condition', requiring the works to be carried out in accordance with those previously approved details.

The proposed variation would be clear and precise in terms of setting out the relevant details, consistent with those approved under the previous Discharge of Conditions application, and would still allow the LPA to retain control over the works by requiring the works to be carried out in accordance with those approved details.

Accordingly, the following revised wording for condition 4 has been agreed with the applicant and is recommended:

"The hanging signage within the arcade shall be implemented in full accordance with the following details, approved under Discharge of Conditions application 2024/92384:

- *Hanging Signage drawing number: 1705-BDP-AD-00-DT-A-20005 Rev C01.*

The hanging signage within the arcade shall thereafter be retained in accordance with the details hereby approved.
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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework."*

Proposed variation of condition 5 (colour scheme of the central arcade roof)

Details have previously been submitted to, and approved by, the LPA pursuant to condition 5, under Discharge of Conditions application reference: 2024/92384.

The current application seeks to vary the wording of condition 5 to make it a 'compliance condition', requiring the works to be carried out in accordance with those previously approved details.

The proposed variation would be clear and precise in terms of setting out the relevant details, consistent with those approved under the previous Discharge of Conditions application, and would still allow the LPA to retain control over the works by requiring the works to be carried out in accordance with those approved details.

Accordingly, the following revised wording for condition 5 has been agreed with the applicant and is recommended:

> *"The colour scheme of the central arcade roof, including metalwork and joinery, shall be implemented in full accordance with the following details, approved under Discharge of Conditions application 2024/92384:*
>
> - *Roof Truss Colour Scheme drawing number: 1705-BDP-AD-RF-DT-A-27001 Rev C01.*
>
> *The colour scheme of the central arcade roof, including metalwork and joinery, shall thereafter be retained in accordance with the details hereby approved.*
> ***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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework."*

<u>Proposed variation of condition 7 (M&E installations and fittings)</u>

Condition 7 requires the submission of specified details for the approval of the LPA. The current application seeks the approval of relevant details pursuant to the requirements of condition 7, and seeks to vary condition 7 to require the works to be carried out in accordance with those details.

In that regard, the following details have been submitted by the applicant as part of this application:

- Dewsbury Arcade – Lighting Schedule document number: 1705-BDP-AD-XX-SH-E-00001 Rev C01, dated 28/03/2024;
- Electric Panel Heaters specification (VWG Mechanical) Rev 01, dated 28/03/25;
- Over Door Heaters specification (VWG Mechanical) Rev 01, dated 28/03/25;

- Level 00 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-00-PL-E-61001 Rev C01;
- Level 01 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-01-PL-E-61001 Rev C01;
- Level 02 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-02-PL-E-61001 Rev C01;
- Level 03 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-03-PL-E-61001 Rev C01;
- Level 00 Proposed Lighting Systems drawing number: 1705-M&R-AD-00-PL-E-63001 Rev C02;
- Level 01 Proposed Lighting Systems drawing number: 1705-M&R-AD-01-PL-E-63001 Rev C02;
- Level 02 Proposed Lighting Systems drawing number: 1705-M&R-AD-02-PL-E-63001 Rev C02;
- Level 03 Proposed Lighting Systems drawing number: 1705-M&R-AD-03-PL-E-63001 Rev C02;
- Level 00 Heating & Cooling Systems drawing number: CT308-M01 Rev A;
- Level 01 Heating & Cooling Systems drawing number: CT308-M02 Rev A;
- Level 02 Heating & Cooling Systems drawing number: CT308-M03 Rev A;
- Level 03 Heating & Cooling Systems drawing number: CT308-M04 Rev A.

The Conservation Officer has noted the submission of those details listed above, and has provided the following comment:

> *"The necessary information has therefore been provided to assess the impact upon the character and significance of the listed building and the details are found to be satisfactory. The conservation and design team have no objection to the variation of Condition 7."*

The submitted details include information regarding electrical, lighting and heating systems for the building and, having regard to the Conservation Officer's comments as quoted above, it is considered that the submitted details are acceptable with reference to the details required by condition 7.

However, the submitted details indicate that some areas/Units are subject to 'tenant fit-out', and it is understood that further installations may be proposed once tenants are identified for the units. Therefore, whilst the submitted details are considered sufficient and acceptable in terms of the works that are proposed at this stage, it is recommended that the re-wording of the condition also includes a requirement for details of any further M&E installations or fittings to be first submitted to and approved by the LPA before any such further installations or fittings are implemented.

It is therefore recommended that condition 7 is varied to require the works to be carried out in accordance with the submitted details, thus clearly and

precisely specifying the approved details and allowing the LPA to retain control over the carrying out of the works, whilst also preventing any further such installations until details have been submitted to and approved by the LPA.

Accordingly, the following revised wording for condition 7 has been agreed with the applicant and is recommended:

"The M&E installations and fittings for the development shall be implemented in full accordance with the following details:

- *Dewsbury Arcade – Lighting Schedule document number: 1705-BDP-AD-XX-SH-E-00001 Rev C01, dated 28/03/2024;*
- *Electric Panel Heaters specification (VWG Mechanical) Rev 01, dated 28/03/25;*
- *Over Door Heaters specification (VWG Mechanical) Rev 01, dated 28/03/25;*
- *Level 00 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-00-PL-E-61001 Rev C01;*
- *Level 01 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-01-PL-E-61001 Rev C01;*
- *Level 02 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-02-PL-E-61001 Rev C01;*
- *Level 03 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-03-PL-E-61001 Rev C01;*
- *Level 00 Proposed Lighting Systems drawing number: 1705-M&R-AD-00-PL-E-63001 Rev C02;*
- *Level 01 Proposed Lighting Systems drawing number: 1705-M&R-AD-01-PL-E-63001 Rev C02;*
- *Level 02 Proposed Lighting Systems drawing number: 1705-M&R-AD-02-PL-E-63001 Rev C02;*
- *Level 03 Proposed Lighting Systems drawing number: 1705-M&R-AD-03-PL-E-63001 Rev C02;*
- *Level 00 Heating & Cooling Systems drawing number: CT308-M01 Rev A;*
- *Level 01 Heating & Cooling Systems drawing number: CT308-M02 Rev A;*
- *Level 02 Heating & Cooling Systems drawing number: CT308-M03 Rev A;*
- *Level 03 Heating & Cooling Systems drawing number: CT308-M04 Rev A.*

The M&E installations and fittings shall thereafter be retained in accordance with the details hereby approved.

No further M&E installations or fittings shall be installed (including service ducts, risers, radiators and lighting), other than those shown on the drawings hereby approved, unless and until details of those installations and/or fittings (specifications and plans) have first been submitted to and approved in writing by the local planning authority. The development shall then be

implemented in full accordance with the details thereby approved, and retained as such 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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework."*

Proposed variation of condition 8 (proposed roof edge protection and perimeter details)

Condition 8 requires the submission of specified details for the approval of the LPA. The current application seeks the approval of relevant details pursuant to the requirements of condition 8, and seeks to vary condition 8 to require the works to be carried out in accordance with those details.

In that regard, the following details have been submitted by the applicant as part of this application:

- Mansafe Setting Out drawing number: 014852-GA-01- Rev P02;
- Ladder 01 Setting Out drawing number: 014852-GA-02- Rev P02;
- Ladder 02 Setting Out drawing number: 014852-GA-03- Rev P02.

The Conservation Officer has noted the submission of those details listed above, and has provided the following comment:

"The necessary information has therefore been provided to assess the impact upon the character and significance of the listed building and the details are found to be satisfactory. The conservation and design team have no objection to the variation of Condition 8."

The submitted details include information regarding the proposed roof access ladders, and fall-protection measures. Having regard to the Conservation Officer's comments as quoted above, it is considered that the submitted details are acceptable with reference to the details required by condition 8.

It is therefore recommended that condition 8 is varied to require the works to be carried out in accordance with the submitted details, thus clearly and precisely specifying the approved details and allowing the LPA to retain control over the carrying out of the works.

Accordingly, the following revised wording for condition 8 has been agreed with the applicant and is recommended:

"The roof edge protection and perimeter details shall be implemented in full accordance with the following details:

- *Mansafe Setting Out drawing number: 014852-GA-01- Rev P02*

- *Ladder 01 Setting Out drawing number: 014852-GA-02- Rev P02*
- *Ladder 02 Setting Out drawing number: 014852-GA-03- Rev P02*

The roof edge protection and perimeter details shall thereafter be retained in accordance with the details hereby approved.
***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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework."*

Proposed variation of condition 9 (trickle vent details for the sash windows)

Details have previously been submitted to, and approved by, the LPA pursuant to condition 9, under Discharge of Conditions application reference: 2024/92384.

The current application seeks to vary the wording of condition 9 to make it a 'compliance condition', requiring the works to be carried out in accordance with those previously approved details.

The proposed variation would be clear and precise in terms of setting out the relevant details, consistent with those approved under the previous Discharge of Conditions application, and would still allow the LPA to retain control over the works by requiring the works to be carried out in accordance with those approved details.

Accordingly, the following revised wording for condition 9 has been agreed with the applicant and is recommended:

"The trickle vents for the sash windows shall be implemented in full accordance with the following details, approved under Discharge of Conditions application 2024/92384:

- *Window Trickle Vents drawing number: 1705-BDP-AD-XX-DT-A-31104 Rev C01.*

The trickle vents for the sash windows shall thereafter be retained in accordance with the details hereby approved.
***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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework."*

Proposed variation of condition 10 (decorative historic floor finish on second floor to be conserved and retained)

Condition 10 requires the submission of specified details for the approval of the LPA. The current application seeks the approval of relevant details pursuant to the requirements of condition 10 and seeks to vary condition 10 to require the works to be carried out in accordance with those details.

In that regard, the following details have been submitted by the applicant as part of this application:

- Historic Floor Finish Installation drawing number: SK-074
- Covering letter from BDP, reference: DS\P3001705, dated 23-07-2026, stating that *"The proposal is to retain and display a section of the decorative historic floor in a frame (as per the Historic Floor Finish Installation plan) close to its original location (in Unit 29)."*

The Conservation Officer has noted the submission of those details listed above, and has provided the following comment:

> *"The necessary information has therefore been provided to assess the impact upon the character and significance of the listed building and the details are found to be satisfactory. The conservation and design team have no objection to the variation of Condition 22."*

It is noted that the Conservation Officer's comments refer to 'Condition 22' in this context. Condition 22 of the relevant accompanying planning permission (the 2023 S73 permission) is identical to Condition 10 of the 2023 S19 Listed Building Consent which this current application seeks to vary. The Conservation Officer advised that they had no objection to the proposed variation of Condition 22 under the accompanying application to vary conditions of the 2023 S73 permission. It is therefore understood that this is an error in the condition reference number, and that the Conservation Officer has no objection to the proposed variation of Condition 10 of the 2023 S19 Listed Building Consent to refer to the submitted details as listed above.

The submitted details include confirmation that a section of the decorative historic floor finish is proposed to be retained and displayed in a frame, close to its original location, and details of the cleaning proposal and the proposals for the display frame. In the light of the submitted information, and having regard to the Conservation Officer's comments as quoted above, it is considered that the submitted details are acceptable with reference to the details required by condition 10.

It is therefore recommended that condition 10 is varied to require the works to be carried out in accordance with the submitted details, thus clearly and precisely specifying the approved details and allowing the LPA to retain control over the carrying out of the works.

Accordingly, the following revised wording for condition 10 has been agreed with the applicant and is recommended:

"The decorative historic floor finish on the second floor shall be conserved, retained and displayed in accordance with the following details:

- *Historic Floor Finish Installation drawing number: SK-074*
- *Covering letter from BDP, reference: DS\P3001705, dated 23-07-2026, stating that "The proposal is to retain and display a section of the decorative historic floor in a frame (as per the Historic Floor Finish Installation plan) close to its original location (in Unit 29)."*

The decorative historic floor finish on the second floor shall thereafter be conserved, retained and displayed in accordance with the details hereby approved.
***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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework."*

Other matters

There was a condition on the original Listed Building Consent (2021/93191) which required details of the Accessible WC shop front alterations to be submitted to and approved by the local planning authority. This condition was not included on the 2023 S19 Listed Building Consent (which this current application now seeks amendments to). However, it is understood that this is because the scheme was subsequently amended to omit the accessible WC from Unit 16, as accessible WC provision was instead provided elsewhere (in the adjacent building which was subsequently added onto the wider scheme). It is understood that the condition was therefore omitted from the 2023 S19 Listed Building Consent. Accordingly, no further details have been requested in this regard.

Other previous conditions

As this is a 'Section 19' application, it would result in a new, stand-alone Listed Building Consent if approved. Therefore, and in accordance with guidance in the PPG, for clarity the decision notice should set out all conditions relevant to the new consent (including as varied via this application) and restate all of the conditions which were imposed on the original consent (in this case the 2023 S19 Listed Building Consent) which remain relevant and applicable.

The previous consent (the 2023 S19 Listed Building Consent) was approved with 10 conditions. Of those, eight have been considered above. Those remaining are considered as follows:

- Condition 1 – Imposed a time limit for commencement. As the works have commenced, it is recommended that this condition is removed, as it is no longer necessary. However, subsequent conditions should not be renumbered, for clarity and the avoidance of confusion when referring to the conditions of respective consents or approvals.

- Condition 6 – This condition requires details of the ventilation louvres in the rear upper floor sash windows to be submitted and approved prior to their installation, and was imposed in the interests of design and protecting the listed building. It is considered that this condition remains necessary and it is recommended that it is re-imposed.

As the NPPF has been updated since the previous permission, the reasons for all conditions, including those sought for variation as part of this application and those to be re-imposed as detailed above, are to be updated to reflect this, and to refer to relevant National Decision-Making Policies in the August 2026 NPPF as applicable.

Conclusion

For the reasons given, it is considered that the proposed variations to Conditions 2, 3, 4, 5, 7, 8, 9 and 10 of the previous Listed Building Consent (the 2023 S19 Listed Building Consent, reference: 2023/91135) are acceptable. Any additional harm to the listed building, 'The Arcade' which would arise from the proposed amendments to the plans under condition 2 would be at a 'low' or 'minimal' level, and would be outweighed by the public benefits of the scheme, as explained above. In all other regards, the details submitted pursuant to other conditions as part of this application are considered to be acceptable, and the proposed variations to those conditions (and to others where details have previously been approved) to require the works to be carried out in accordance with those details are considered to be appropriate. It is considered that the proposed changes would not result in the quality of the development being materially diminished, compared with the previously approved scheme, and the proposals are therefore not considered to conflict with NDMP DP4 of the NPPF in that regard.

It is considered necessary and appropriate to re-impose other relevant conditions from the previous Listed Building Consent, as set out above.

The proposals are therefore considered to be acceptable and in accordance with Local Plan Policies LP24 and LP35 and with the NPPF.

It is therefore recommended that the application is approved, subject to the suggested conditions as set out below.

Recommendation: Approve

Report Dated: 19/10/2026

Application Number: 2026/91760
Decision Authorisation: Delegated Powers
Officer Recommendation: Approve

Conditions and Reasons

1. DELETED – Works have commenced.

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 approved, 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. The decorative gates and fanlights to each end of the arcade, and the central stairway gates, shall be installed in complete accordance with the following details, including with regard to their design, colour and fixing methods:

- Units 8 & 11 Internal Gates General Arrangement drawing number: 24102-DR-C-0101 Rev P02;
- General Arrangement Corporation Street Entrance drawing number: 24102-DR-T-0200 Rev P05;
- General Arrangement Market Place Entrance drawing number: 24102-DR-T-0202 Rev P12.

The development shall thereafter be retained in accordance with those details hereby approved.
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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.

4. The hanging signage within the arcade shall be implemented in full accordance with the following details, approved under Discharge of Conditions application 2024/92384:

- Hanging Signage drawing number: 1705-BDP-AD-00-DT-A-20005 Rev C01.

The hanging signage within the arcade shall thereafter be retained in accordance with the details hereby approved.
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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.

5. The colour scheme of the central arcade roof, including metalwork and joinery, shall be implemented in full accordance with the following details, approved under Discharge of Conditions application 2024/92384:

- Roof Truss Colour Scheme drawing number: 1705-BDP-AD-RF-DT-A-27001 Rev C01.

The colour scheme of the central arcade roof, including metalwork and joinery, shall thereafter be retained in accordance with the details hereby approved.
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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.

7. The M&E installations and fittings for the development shall be implemented in full accordance with the following details:

- Dewsbury Arcade – Lighting Schedule document number: 1705-BDP-AD-XX-SH-E-00001 Rev C01, dated 28/03/2024;
- Electric Panel Heaters specification (VWG Mechanical) Rev 01, dated 28/03/25;
- Over Door Heaters specification (VWG Mechanical) Rev 01, dated 28/03/25;
- Level 00 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-00-PL-E-61001 Rev C01;
- Level 01 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-01-PL-E-61001 Rev C01;
- Level 02 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-02-PL-E-61001 Rev C01;
- Level 03 Proposed Electrical Distribution Systems drawing number: 1705-M&R-AD-03-PL-E-61001 Rev C01;
- Level 00 Proposed Lighting Systems drawing number: 1705-M&R-AD-00-PL-E-63001 Rev C02;
- Level 01 Proposed Lighting Systems drawing number: 1705-M&R-AD-01-PL-E-63001 Rev C02;
- Level 02 Proposed Lighting Systems drawing number: 1705-M&R-AD-02-PL-E-63001 Rev C02;
- Level 03 Proposed Lighting Systems drawing number: 1705-M&R-AD-03-PL-E-63001 Rev C02;
- Level 00 Heating & Cooling Systems drawing number: CT308-M01 Rev A;
- Level 01 Heating & Cooling Systems drawing number: CT308-M02 Rev A;
- Level 02 Heating & Cooling Systems drawing number: CT308-M03 Rev A;

- Level 03 Heating & Cooling Systems drawing number: CT308-M04 Rev A.

The M&E installations and fittings shall thereafter be retained in accordance with the details hereby approved.
No further M&E installations or fittings shall be installed (including service ducts, risers, radiators and lighting), other than those shown on the drawings hereby approved, unless and until details of those installations and/or fittings (specifications and plans) have first been submitted to and approved in writing by the local planning authority. The development shall then be implemented in full accordance with the details thereby approved, and retained as such 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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.

8. The roof edge protection and perimeter details shall be implemented in full accordance with the following details:

- Mansafe Setting Out drawing number: 014852-GA-01- Rev P02
- Ladder 01 Setting Out drawing number: 014852-GA-02- Rev P02
- Ladder 02 Setting Out drawing number: 014852-GA-03- Rev P02

The roof edge protection and perimeter details shall thereafter be retained in accordance with the details hereby approved.
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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.

9. The trickle vents for the sash windows shall be implemented in full accordance with the following details, approved under Discharge of Conditions application 2024/92384:

- Window Trickle Vents drawing number: 1705-BDP-AD-XX-DT-A-31104 Rev C01.

The trickle vents for the sash windows shall thereafter be retained in accordance with the details hereby approved.
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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.

10. The decorative historic floor finish on the second floor shall be conserved, retained and displayed in accordance with the following details:

- Historic Floor Finish Installation drawing number: SK-074
- Covering letter from BDP, reference: DS\P3001705, dated 23-07-2026, stating that *“The proposal is to retain and display a section of*

the decorative historic floor in a frame (as per the Historic Floor Finish Installation plan) close to its original location (in Unit 29)."

The decorative historic floor finish on the second floor shall thereafter be conserved, retained and displayed in accordance with the details hereby approved.

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 National Decision-Making Policies DP3, HE4, HE5, HE6 and HE9 of the National Planning Policy Framework.

NOTE: The developer is advised that separate approval is also likely to be required for the works under other legislative regimes, including Environmental Health legislation and the Building Regulations, including with regard to matters of fire safety. The approval of details as part of this planning permission does not imply compliance with other relevant regulations, including the Building Regulations, in those regards.

Plans and specifications schedule:

Plan Type	Plan Reference	Version	Date Received
Plans approved under Section 19 application reference: 2026/91760			
Site Plan as Proposed	1705-BDP-AD-SL-PL-Z-00003-	T02	26/06/2026
Ground Floor Removals Plan	1705-BDP-AD-00-PL-A-20002-	T02	26/06/2026
First Floor Removals Plan	1705-BDP-AD-01-PL-A-20002-	T02	26/06/2026
Second Floor Removals Plan	1705-BDP-AD-02-PL-A-20002-	T02	26/06/2026
Third Floor Removals Plan	1705-BDP-AD-03-PL-A-20002-	T02	26/06/2026
Ground Floor GA Plan as Proposed	1705-BDP-AD-00-PL-A-20001-	T02	26/06/2026
First Floor GA Plan as Proposed	1705-BDP-AD-01-PL-A-20001-	T02	26/06/2026
Second Floor GA Plan as Proposed	1705-BDP-AD-02-PL-A-20001-	T02	26/06/2026
Third Floor GA Plan as Proposed	1705-BDP-AD-03-PL-A-20001-	T02	26/06/2026
Roof GA Plan as Proposed	1705-BDP-AD-RF-PL-A-27001-	P02	26/06/2026
North Elevation	1705-BDP-AD-XX-EL-A-20001-	T02	26/06/2026
East Elevation	1705-BDP-AD-XX-EL-A-20003-	T02	26/06/2026
West Elevation	1705-BDP-AD-XX-EL-A-20004-	T02	26/06/2026

Section AA	1705-BDP-AD-XX-SE-A-20001-	T02	26/06/2026
Section BB	1705-BDP-AD-XX-SE-A-20002-	T02	26/06/2026
Units 8 & 11 Internal Gates General Arrangement	24102-DR-C-0101	P02	26/06/2026
General Arrangement Corporation Street Entrance	24102-DR-T-0200	P05	26/06/2026
General Arrangement Market Place Entrance	24102-DR-T-0202	P12	26/06/2026
Level 00 Proposed Electrical Distribution Systems	1705-M&R-AD-00-PL-E-61001	C01	26/06/2026
Level 01 Proposed Electrical Distribution Systems	1705-M&R-AD-01-PL-E-61001	C01	26/06/2026
Level 02 Proposed Electrical Distribution Systems	1705-M&R-AD-02-PL-E-61001	C01	26/06/2026
Level 03 Proposed Electrical Distribution Systems	1705-M&R-AD-03-PL-E-61001	C01	26/06/2026
Level 00 Proposed Lighting Systems	1705-M&R-AD-00-PL-E-63001	C02	26/06/2026
Level 01 Proposed Lighting Systems	1705-M&R-AD-01-PL-E-63001	C02	26/06/2026
Level 02 Proposed Lighting Systems	1705-M&R-AD-02-PL-E-63001	C02	26/06/2026
Level 03 Proposed Lighting Systems	1705-M&R-AD-03-PL-E-63001	C02	26/06/2026
Level 00 Heating & Cooling Systems	CT308-M01	A	26/06/2026
Level 01 Heating & Cooling Systems	CT308-M02	A	26/06/2026
Level 02 Heating & Cooling Systems	CT308-M03	A	26/06/2026
Level 03 Heating & Cooling Systems	CT308-M04	A	26/06/2026
Mansafe Setting Out	014852-GA-01-	P02	26/06/2026
Ladder 01 Setting Out	014852-GA-02-	P02	26/06/2026
Ladder 02 Setting Out	014852-GA-03-	P02	26/06/2026
Historic Floor Finish Installation	SK-074		26/06/2026

Covering Letter	DS\P3001705 Dated:23/07/2026		24/07/2026
Design and Heritage Statement Addendum	1705-BDP-AD-XX-RG-Z-00006	P01	24/07/2026
Summary of Amendments	1705-BDP-AD-XX-RG-Z-00005	P01	09/07/2026
Dewsbury Arcade – Lighting Schedule	1705-BDP-AD-XX-SH-E-00001	C01	26/06/2026
Over Door Heaters Specification	Dated: 28/03/25	01	26/06/2026
Electric Panel Heaters Specification	Dated: 28/03/25	01	26/06/2026
Plans approved under original Listed Building Consent reference: 2021/93191 and previous Section 19 application reference: 2023/91135			
Site Location Plan	1705-BDP-AD-SL-PL-Z-00001	P02	11/08/2021
Site Plan as Existing	1705-BDP-AD-SL-PL-Z-00002	P02	11/08/2021
Existing Basement Plan	1705-BDP-AD-B1-PL-Z-00001	P01	11/08/2021
Existing Ground Floor Plan	1705-BDP-AD-00-PL-Z-00001	P03	11/08/2021
Existing First Floor Plan	1705-BDP-AD-01-PL-Z-00001	P03	11/08/2021
Existing Second Floor Plan	1705-BDP-AD-02-PL-Z-00001	P03	11/08/2021
Existing Third Floor Plan	1705-BDP-AD-03-PL-Z-00001	P03	11/08/2021
Existing Roof Plan	1705-BDP-AD-RF-PL-Z-00001	P01	11/08/2021
South Elevation	1705-BDP-AD-XX-EL-A-20002	P01	11/08/2021
Design and Access Statement	1705-BDP-AD-XX-RG-Z-00003	P01	11/08/2021
Bat Survey	1705-BDP-AD-XX-RG-Y-00001	02	11/08/2021
Ventilation and Extract Statement	1705-BDP-AD-ZZ-RG-M-57001	P01	11/08/2021
Mechanical and Electrical supporting drawings	Dated: July 2021		11/08/2021
Site Wide MEP Strategy – Overview	1705-BDP-AD-ZZ-RG-J-00002	P01	11/08/2021
Site Waste Management Statement	1705-BDP-AD-XX-SG-Z-00001	P01	11/08/2021
Part L2B Statement	1705-BDP-AD-XX-RG-J-08001	P01	11/08/2021

Climate Change Statement	1705-BDP-AD-XX-MS-Y-00001		11/08/2021
Flood Risk Assessment & Outline Drainage Strategy Report	1705-BDP-AD-XX-RG-C-0001	P01	12/08/2021
Environmental Noise Assessment Report	1705-BDP-AD-ZZ-XX-RG-U-00001	P02	12/08/2021
Structural Strategy Report	1705-BDP-AD-XX-S-RG-00002	P01	12/08/2021

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 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.

It has not been necessary to seek any further information from the applicant in this case, as the proposals were considered acceptable on the basis of the originally submitted information.