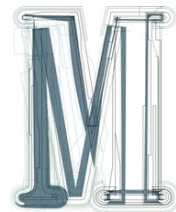


m b Heritage

The Network Rail  
(Huddersfield to Westtown (Dewsbury)  
Improvements) Order 2021

Public Inquiry

Built Heritage Proof of Evidence  
On Behalf of HD1 Developments Ltd  
OBJ/23



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Public Inquiry

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m b Heritage & Planning Ltd  
Leeds

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## 1.0 INTRODUCTION

- 1.01 My name is Michael Bottomley and I am an independent consultant and Managing Director of m.b. Heritage & Planning Limited, a consultancy practice specialising in the field of built heritage.
- 1.02 I hold a BA (Honours) in Town Planning and a Master of Science in Urban Conservation. I was elected to the Royal Town Planning Institute in 1997 and am an affiliated member of the Institute of Historic Building Conservation. I am bound by the professional codes of conduct of both institutions.
- 1.03 I have over 25 years' experience working as a town planner specialising in built heritage projects including work in local government in Leeds (Conservation Assistant) and Ryedale, North Yorkshire (Area Team Leader, Development Control and Conservation). I entered private practice in 2001 and have worked with RPS, Turley Associates and Woodhall Planning and Conservation. I established my own consultancy practice in 2009. The practice operates nationally, dealing with built heritage and archaeological matters, on behalf of a broad range of private and commercial clients.
- 1.04 I was appointed by HD1 Developments Limited in September 2021 to provide built heritage advice in respect to the potential localised impacts of the Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order (hereafter the NRO) which forms part of a wider programme of works known as the Transpennine Route Upgrade (hereafter the TRU). I have had no prior involvement with the project.
- 1.05 This Proof, prepared on behalf of HD1 Developments Limited, specifically provides opinion and assessment in respect of the proposed works at Huddersfield Station as set out within Listed Building Consent Application 2021/65/91328/W, submitted 31<sup>st</sup> March 2021 with the following description:

*Listed Building Consent for demolition of roofs B and C; demolition of two bays of roof A at the Manchester end; new section of canopy on the Penistone platform; installation of two new bays on roof A at the Leeds end; re-instatement of lantern to whole of roof A; platform alterations and extensions; new island platform; extension of existing passenger subway; in-*

*filling of disused parcel subway; demolition of signal box, relay room and cable gantry between platforms 1 and 4; re-location of tea rooms; provision of new eastern footbridge and lifts/stairs and canopies; provision of overhead electric line equipment (within a Conservation Area).*

1.06 The Proof specifically considers the potential impacts of the works upon land and buildings within the ownership of HD1 Developments Limited, including the Grade II Listed Buildings, “Large Brick Warehouse in Goods Yard” (list entry number 1228533), and “Tower in north-west corner of Railway Yard” (1289593). It also considers potential impacts upon the “Stone Warehouse in Goods Yard” (1287149), now known as Brian Jackson House. This building, whilst outside of the ownership of HD1 Developments Limited is considered given its historical and function relationship with the station, the brick-built goods warehouse and the associated accumulator tower. The Proof also provides opinion upon the assessment of these impacts, including wider impacts upon the built historic environment, by the applicant and local planning authority.

1.07 The Proof is set out under the following principal sections:

- The policy and guidance context, at local and national level, in respect of the historic environment relevant to the consideration of the proposals at Huddersfield Station.
- The nature of the proposed development and its consideration by the local planning authority.
- An overview of the baseline historic environment and assessment of the significance of the those built heritage assets affected by the proposals (as set out at 1.06). Assessment of the impact upon these assets and conclusions in respect of the degree and extent of harm to their significance.
- Conclusions in respect of the relevant policy tests.

1.08 These sections are set out below.

## 2.0 STATUTORY AND POLICY CONTEXT

### Statutory Context

- 2.01 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a general duty for local planning authorities, in the exercise of planning functions in relation to listed buildings. It states that:

*“In considering whether to grant planning permission which affects a listed building or its setting, the local planning authority, or as the case may be, the Secretary of State, 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.”*

- 2.02 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out a general duty as respects conservation areas in the exercise of planning functions, indicating that *“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.”*

- 2.03 Case law (see particularly *E Northants DC v Secretary of State for Communities and Local Government* [2014] EWCA Civ 137) reaffirms that the duties imposed in the Act mean that in considering whether to grant permission for development that may cause harm (substantial or less than substantial) to a designated asset (listed building or conservation area) and its setting, this a matter to which considerable importance and weight should be given.

- 2.04 The proper consideration of the balance between harm on the one hand and planning benefits on the other must have regard to this presumption, and its statutory weight, and apply it to the proposed development concerned.

## **National Planning Policy Framework 2021**

- 2.05 The protection and enhancement of the built historic environment is an over-arching environmental objective within the National Planning Policy Framework 2021 (paragraph 8). It indicates that ‘great weight’ should be given to the conservation of designated heritage assets (paragraph 199), conservation being defined as *“the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance”* (Annex 2: Glossary).

- 2.06 Significance, for heritage policy, is defined in the Framework (Annex 2: Glossary) as:

*“The value of a heritage asset to this and future generations because of its heritage interest. This interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”*

- 2.07 In undertaking any heritage assessment, the aim should be to demonstrate understanding of the nature of significance and the particular interest which contributes to that significance, the extent of the building fabric that holds this interest and its comparative level of importance. Historic England Advice Note 12, Statements of Historic Significance, Analysing Significance in Heritage Assets, 2019 (HEAN12), indicates that heritage assessments of significance should provide an impartial analysis of significance and the contribution of setting:

*“A Statement of Heritage Significance is not an advocacy document, seeking to justify a scheme which has already been designed; it is more an objective analysis of significance, an opportunity to describe what matters and why, in terms of heritage significance.”*

- 2.08 HEAN12 advocates a stage approach to decision-taking in applications affecting heritage assets:

1. Understand the form, materials and history of the affected heritage asset(s).
2. Understand the significance of the asset(s).
3. Understand the impact of the proposal on that significance.

4. Avoid, minimise and mitigate negative impacts in a way that meets the objectives of the National Planning Policy Framework.
  5. Look for opportunities to better reveal or enhance significance.
- 2.09 Further guidance on the assessment process is provided in Historic England Good Practice Advice in Planning 2, Managing Significance in Decision-Taking in the Historic Environment, 2015 (GPAP2). This notes that if there is apparent conflict between the proposed development and the conservation of a heritage asset consideration may need to be given alternative means of delivering the development which leads to a more sustainable result which reduces potential harm to significance. This process, reflected in HEAN12 advice, should be undertaken before weighing the public benefits of a proposal against any harm.
- 2.10 Paragraph 197 of the Framework indicates that, in determining applications, local planning authorities should take account of:
- a) *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - b) *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - c) *The desirability of new development making a positive contribution to local character and distinctiveness.*
- 2.11 The Framework advises that “great weight” should be given to the conservation of heritage assets irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance (Paragraph 199).
- 2.12 In considering the extent of harm, Paragraph 200 of the Framework states that any harm to, or loss of, the significance of a designated heritage asset should require ‘clear and convincing justification’. Paragraph 201 indicates that, where it is concluded that an application will lead to substantial harm to, or total loss of, significance to a designated heritage asset (particularly those of higher significance), authorities should refuse consent unless it can be demonstrated that:

*“The substantial harm or loss is necessary in order to achieve substantial public benefits that outweigh that harm or loss.”*

2.13 Where less than substantial harm is identified to the significance of a designated heritage asset the Framework advises, at paragraph 202, that authorities should weigh the public benefits of the proposal against the harm identified.

2.14 Paragraph 206 of the Framework advises that local planning authorities should look for opportunities for new development, within conservation areas and within the setting of heritage assets, to enhance or better reveal their significance. Paragraph 207 notes that not all elements of a conservation area will contribute to its significance.

2.15 In any assessment it is also important to have regard to the contribution made to the significance of a heritage asset by its setting and, conversely, the contribution it may make to the significance of other assets. As regards setting this is defined by the Framework as:

*“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”*

2.16 Historic England has published guidance in respect of the setting of heritage assets (Historic Environment Good Practice Advice in Planning, Note 3 (Second Edition), The Setting of Heritage Assets, 2017). It indicates, at paragraph 9, that:

*“Setting is not itself a heritage asset, nor a heritage designation, although land comprising a setting may itself be designated. Its importance lies in what it contributes to the significance of the heritage asset or to the ability to appreciate that significance.”*

2.17 The advice note sets out a staged approach to proportionate decision-taking and recommends a broad approach to assessment, undertaken as a series of steps that may be applied proportionately to complex and more straightforward cases (paragraph 19).



### **The Development Plan**

2.18 The Kirklees Local Plan (KLP) was adopted in February 2019. Policy LP35 of the KLP relates to the historic environment and states, amongst other things that:

1. *Development proposals affecting a designated heritage asset (or an archaeological site of national importance) should preserve or enhance the significance of the asset.*
2. *Proposals which would remove, harm or undermine the significance of a non-designated heritage asset, or its contribution to the character of a place will be permitted only where benefits of the development outweigh the harm having regard to the scale of the harm and the significance of the heritage asset.*
3. *Proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance.*

2.19 Huddersfield Station and surrounding yard areas and buildings fall within the Huddersfield Town Centre Conservation Area. No conservation area appraisal has been published in respect of the Area.

## 3.0 THE PROPOSED WORKS

### The Listed Building Consent Application

3.01 The proposed works, as specific to this Proof of Evidence, are those set out within the Listed Building Consent Application (hereafter the LBCA) at Huddersfield Railway Station (LPA reference 2021/65/91328/W). In short summary, the works comprise:

- The rearrangement of platforms to extend their length, the widening of Platform 1 and construction of a new island platform to the west
- The replacement of trainshed roofs (identified as Roofs B and C within the application) with a new roof canopy, removal of 2 bays to the southern end of Roof A and addition of 3 new bays to the northern end. The construction of new canopies to the north and extension of the canopy over the Penistone Line platform to the north.
- The construction of a new Footbridge to the north end of the platforms.
- Extension of the existing passenger subway and realignment of stairs.
- The dismantling of the Tea Rooms and reconstruction in a new position.
- The introduction of overhead line equipment (OLE) throughout the station.

3.02 The LCBA submission included a Heritage Assessment (Network Rail. March 2021) which sets out the heritage significance of the Grade I Listed Building, Huddersfield Station (1277385), considers the impacts of the proposals upon this significance and considers the public benefits of the proposal weighed against this impact (paragraph 1.1.6 of the Assessment). Section 2 of the Assessment provides a summary of the historic background to the Station and its retained architectural interest, including associated elements such as platforms, subways, tea rooms and the trainshed roofs. It also considers the contribution of setting to the significance of the Station and notes the importance of the warehouses and goods yards buildings to the west (paragraph 2.1.56).

3.03 The Heritage Assessment (2021) also notes around 50 Listed Buildings falling within 100m of the Station and these include the Large Brick Warehouse (1287149), the Stone Warehouse (1287149) and the Accumulator Tower (1289593), each Grade II Listed and situated to the west of the Station. Other designated heritage assets are identified within St. Georges Square to the east of the Station and on Fitzwilliam Street to the north-west. The Appraisal also notes

that the Station and its environs, including the goods yard area to the west, falls within the Huddersfield Town Centre Conservation Area.

- 3.04 The Heritage Assessment (2021) also references 8 non-designated heritage assets, listed on the West Yorkshire Historic Environment Record (WYHER), in proximity to the Station. These include the historic extent of the Huddersfield Station goods yard (HER6525) and the railway station water tower (HER10539).
- 3.05 Section 3 of the Heritage Assessment (2021) sets out a summary of the scheme proposals, including iterative options considered during the evolution of the works and embedded mitigation measures. Section 4 assesses the impact of the works upon heritage assets and I provide a short summary of this assessment below where relevant to the scope of this Proof:
- The proposals would result in considerable changes to the historic fabric of the Grade I Listed Huddersfield Station (paragraph 4.1.1), including the loss of some historic elements such as the trainshed Roof B and physical alterations to the platform layout and passenger subway.
  - The proposed works would alter a number of views to, from and within the station which contribute to its setting. This impact would notably relate to the footbridge at the northern end of the platforms and the OLE installation. The proposals would alter the overall appearance of the station when viewed from the surrounding townscape, particularly from the south and north-west (paragraph 4.1.16).
  - Elements of the design will enhance the legibility of historic connections including the new canopy roof over the island platforms which would emphasise the relationship of the station with the listed warehouses and accumulator tower to the west (paragraph 4.1.17).
  - The impact of the proposals on the significance of the Station would be less than substantial in respect of National Planning Policy Framework guidance. The proposals would satisfy KLP Policy LP35 in contributing to the distinct identity of the Kirklees area, in having consideration of the significance of the Station whilst accommodating innovative design which would enable the wider benefits of the development (paragraph 4.1.24).

- The proposals would serve to enhance elements of the setting of the Listed Stone Warehouse, the Large Brick Warehouse and the Accumulator Tower to the west of the station. This finding is based upon the design of the new canopies which will open out views to the rear of the station from the island platforms and improve the legibility of the historic relationship between these assets (paragraph 4.1.26).
- The proposals would not impact upon the overall significance of the Conservation Area (paragraph 4.1.32).

3.06 The Heritage Assessment (2021) sets out a number of mitigation and compensation measures (Section 4.2) and summarises the public benefits considered to flow from the proposed works (Section 4.3). It concludes that the proposals will result in less than substantial harm to the significance of the Grade I Listed Huddersfield Station although does not explicitly consider the balance test as set out in Paragraph 201 of the Framework. Notwithstanding this, the Assessment considers that the proposals satisfy both national and local planning policy regarding the impact of development on the Station and its setting (paragraph 5.1.5).

#### **NRO Environmental Statement – Scheme-Wide Assessment**

3.07 The wider NRO proposals are the subject of an environmental impact assessment reported within an Environmental Statement (ES) published by Network Rail in 2021. Chapter 6, Historic Environment, to Volume 2i of the ES considers the effects of the Huddersfield Station works as part of Route Section 1. The ES states, at paragraph 6.5.26, that:

*“The operation of the completed Scheme will result in permanent impacts on the Grade I Listed Huddersfield Station (NHLE 1277385). The permanent changes will result in notable alterations to the station’s setting which contributes to its overall significance. Taking into account the extent to which the station derived significance from those areas of its setting affected, the permanent impact will constitute a permanent moderate adverse impact as a result of operation of the completed Scheme. “*

3.08 Appendix 6-4 of the ES provides short assessments of potential effects upon ‘offline’ heritage assets including those falling to the west. In summary it states that:

- The Scheme will result in slight beneficial effects upon the Grade II Listed Large Brick Warehouse (1228533), the Stone Warehouse (1287149) and the Tower in the North-West corner of the Railway Yard (1289593) by revealing significance and enhancing the settings of these assets.
- The Scheme will have a neutral effect upon the non-designated Railway Goods Yard (HER6525).
- The Scheme will have a neutral effect upon the Huddersfield Town Centre Conservation Area.

### **Consideration of the LBCA by the Local Planning Authority**

3.09 The Local Planning Authority consideration of the LBCA is set out within the Report of the Head of Planning and Development to the Strategic Planning Committee on 12<sup>th</sup> May 2021. The Report provides a summary of the consultation response from the Council's Conservation and Design team. The assessment contained within the Report largely restates that undertaken within the LBCA Heritage Assessment (2021) and Environmental Statement. As relevant to this Proof the Report states that:

- The proposed interventions in the station complex would result in considerable change to the historic fabric of parts of the Grade I listed station, including the loss of historic elements and alteration to the setting of adjacent listed buildings (such as the Grade II listed railway warehouses). The proposals do however respond to the station's significance in a manner which attempts to minimise the loss or compromise of historic fabric while facilitating the new enhanced operational requirements of Network Rail (paragraph 10.9).
- The Report considers the individual impacts of the works at the Station. The works associated with the principal Station building, Tea Rooms and new footbridge are considered to be 'minor beneficial', the works to the platforms and subway 'minor adverse' and those to the trainshed roofs 'moderate adverse' (paragraphs 10.13 to 10.45).
- The main elements of setting to the station will not be appreciably altered by the proposals (paragraph 10.50). The design of the works responds to the station's setting, enhancing elements such as visual connectivity to associated buildings and introducing new opportunities to appreciate significance. The proposals will have a

‘negligible beneficial’ impact upon the extent to which the station derives significance from its setting (paragraph 10.51).

- The Report notes that the proposals will impact upon the setting of the three ‘ancillary’ Grade II Listed Buildings located to the west, the Stone Warehouse, the Large Brick Goods Warehouse and the Accumulator Tower. The proposals, whilst introducing new elements within the setting of these assets, would reinforce their historic functional relationships and the understanding of their significance (paragraph 10.53). The proposals would not detract from the setting of these Listed Buildings and impact would be ‘negligible beneficial’.
- The proposals would involve significant changes to buildings and structures which are positive contributors to the Huddersfield Town Centre Conservation Area. The works will not have any demonstrably adverse impact and would enhance the functional character of the station. As such impact upon the character and appearance of the Area would be ‘minor beneficial’ (paragraph 10.56).

- 3.10 The Report of the Head of Planning and Development, in undertaking the balance of heritage impact against public benefit, notes that the cumulative direct and indirect heritage impact of the works will present “some significant adverse effects” (paragraph 10.57). These will amount, following design mitigation, to less than substantial harm in Framework terms (paragraph 10.58). It concludes, on heritage matters, that the works will bring substantial public benefits sufficient to provide the necessary justification to enable a recommendation of support (paragraph 10.70).

### **Overview**

- 3.11 I consider that the LBCA submission, and the wider Environment Statement for the NRO project, provides sufficient baseline information to identify the principal designated and non-designated heritage assets likely to be affected by the proposed works. The summary of the historic and architectural significance of these assets, as set out within the LBCA Heritage Assessment (2021), also provides a baseline against which to consider the effects of the works. Both documents do however provide very limited consideration of the significance of other ‘offline’ heritage assets potentially affected by the proposed works.

3.12 I consider that the assessment of built heritage impacts undertaken by the applicant, within the ES and Heritage Assessment, and by the local planning authority is deficient in a number of respects:

- As an over-arching comment, I consider that both the Environmental Statement and Heritage Assessment, as they relate to the Huddersfield Station works, are deficient in terms of the analysis of the significance of those heritage assets and their settings potentially affected. This includes the absence of assessment of impacts upon significant views towards the station environs which take in the significant assemblage of Listed Buildings including the station itself, the goods warehouses and the accumulator tower. As such I do not consider that these documents are sufficient to satisfy the assessment requirements under Paragraph 194 of the Framework and, by extension to properly undertake the Paragraph 202 balance test.
- Whilst acknowledgement is given to the significance of those designated assets falling to the west of the station complex the significance of their individual and shared settings, including group value, is given very little consideration. Similarly, significant views towards these assets from the north and south which take in a largely unaltered 19<sup>th</sup> century industrial townscape, are not fully assessed, particularly in terms of the impacts of the new canopy and footbridge structures.
- As discussed below, I consider that the proposed works, principally through the visual impacts of the new canopy and footbridge, will give rise to harm to the significance, within setting, of the Grade II Listed Brick and Stone Warehouses, the accumulator Tower and to the character and appearance of the Huddersfield Town Centre Conservation Area. I therefore disagree with the findings set out within the ES and Heritage Assessment, which, in my view, fail to properly consider the inter-related settings of these assets and places undue weight upon perceived heritage benefits.
- In considering impacts upon these designated assets, whilst both the applicant and local planning authority acknowledge the visual impact of the proposed works their assessments places undue weight upon perceived heritage benefits most notably the visual connectivity between the station complex and building and yard areas to the west. Whilst these benefits may provide mitigation they do not remove the areas of harm identified.

- The assessments undertaken have no regard to the potential impact of the works upon the viability of the future adaptive re-use of the Brick Warehouse immediately to the west. This falls contrary to the guidance contained under Paragraph 197 of the Framework which indicates that regard should be had to sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

3.13 I set out below an assessment of the impact of the proposed works upon the three designated heritage assets falling to the west of the station complex.



## 4.0 IMPACT OF THE PROPOSED WORKS

4.01 As previously noted, the scope of this Proof is limited to the consideration of the potential impacts of the proposed works upon the significance, within setting, of three Grade II Listed Buildings located to the west of the Station. These comprise the Large Brick Warehouse in Goods Yard (1228533), the Stone Warehouse in Goods Yard (1287149) and Tower in north-west corner of the Railway Yard (1289593).

4.02 I set out an assessment of the potential impacts upon these assets below. In doing so I have had regard to relevant guidance as set out within the Framework and best practice guidance produced by Historic England.

### **Large Brick Warehouse in Goods Yard**

#### **New North Parade**

#### **Grade II Listed Building**

#### **List Entry Number 1228533**

4.03 The Warehouse building, also known as St. George's Warehouse, is located immediately to the west of the Station complex (NGR: SE14235 16898) and was added to the statutory list in 1978. It was constructed between 1878 and 1883 as a goods warehouse for the London and North Western Railway company as part of the expansion of Huddersfield Station and likely replacement earlier warehouse buildings. The Brick Warehouse is iron framed and designed in a relatively constrained Italianate in 5-storeys, diminishing to the upper 2-storeys, and constructed in a red-brick with polychrome decoration and blue brick and sandstone detailing. A loading bay, supported on iron columns, extends to the west and projected over rail tracks.

4.04 Notwithstanding later alterations, most notably the insertion of enlarged loading doors at ground floor level, the building retains a high level of architectural interest and the strong bayed division of the building, along with its relationship with the Station complex and associated tracks and infrastructure, evidences historic use. The visual relationship with the Grade II Listed Stone Warehouse (1287149) to the south, the retained accumulator Tower (1289593) to the north and the wider historic rail yard is also highly significant and contributes positively to historic and contemporary setting. Significant views towards the Brick Warehouse are available Fitzwilliam Street to the north and Westgate from the south which illustrate this visual relationship. Secondary views from Brunswick Street, which take in the

upper storeys of the building are also significant and the visual relationship terraced housing along New North Parade (the majority being Grade II Listed, 1287150, 1228534, 1279453, 1287151) is also notable and contributes positively to setting.

4.05 In respect to the proposed Huddersfield Station works I consider that the majority of the work proposed will be visually enclosed within the station complex and will not impact upon the significance of the Brick Warehouse. The proposed removal of the existing trainshed Roof B and replacement/enlargement with a new modern roof canopy over island platforms 4, 5 and 6 will however have a number of negative impacts:

- The removal of trainshed roof B, which dates to the 1880s, will result in the loss of historic fabric within the setting to the Brick Warehouse. Whilst secondary to the wider spanned canopy comprising roof A, the structure is a significant element within the station complex and a positive contributor to views towards the Warehouse from Westgate and Fitzwilliam Street.
- The proposed new canopy structure will adopt a design and material treatment which will contrast with the retained trainshed roof canopy A through the use of grey and white metal cladding and incorporation of a bladed design. This visual impact of this contrast, particularly in terms of the profile of the roof structures, will be significant and will detract from the heritage values of views available from Westgate and Fitzwilliam Street.
- The new canopy and platform will be in close proximity to the east facing range of the Brick Warehouse and the loading bay/lift tower. This will remove the current visual separation of the building from the Station canopies and draw the eye away from the listed building in views from the north and south.
- The proximity of the new roof canopy to the Brick Warehouse will, to some degree, diminish the extent to which the east façade of the building can be viewed, including in views from within the existing station complex.
- The visual impact of the new canopy will be particularly pronounced in views from Westgate and St. Georges Street which take in a predominantly 19<sup>th</sup> century townscape comprising the Brick and Stone Warehouses, the canopies spanning the station platforms and the main Huddersfield Station building.

- The outlook from the Brick Warehouse towards the east will be impacted and regard should be had to the effects of greater activity and light spillage upon the building. In particular this should consider the effect on potential future uses of the building.
- 4.06 Overall, I consider that the new roof canopy will have a significant visual impact upon the setting to the Brick Warehouse, will reduce the current openness of the building and will have a negative impact upon significant views of the listed building, particularly from Westgate and Fitzwilliam Street. The impact of the works will result in less than substantial harm, in Framework terms, to the significance, within setting, of the building.
- 4.07 Whilst the LBCA submission places weight on the desirability of ‘visually connecting’ the station complex with the historically associated warehouse buildings to the west, this be considered without due regard to the current separate ownerships of the buildings and, in the case of the Brick Warehouse, potential future uses. Full Planning and Listed Building Consent applications have historically been granted for the adaptive conversion of the Warehouse to commercial office, retail and residential uses. Permissions to convert the building to provide office accommodation and 70 no. apartments (LPA references 2006/62/92141/W1 and 2006/65/91265/W1 respectively) was granted in July 2006. Walton and Company Planning Solicitors, acting for HD1 Developments Limited, have advised that these permissions remain extant.
- 4.08 The 2006 approved scheme for the conversion of the Brick Warehouse included the provision of an external pedestrian stair and lift tower providing linkages between the development and New North Parade with linkages through the site to Fitzwilliam Street to the north. The approved layout also shows the provision of parking areas to the east side of the Warehouse and conversion of the lower floors of the building to provide office and apartment accommodation. HD1 Developments Limited have indicated that the proposed works will directly impact upon the viability and marketability of the approved conversion and will prevent the construction of the pedestrian stair and lift tower. The station works will also have a significant impact upon the outlook of new office, retail or residential accommodation should the approved scheme, or indeed a future conversion scheme be brought forward.

- 4.09 The application submission for the Huddersfield Station works and the consideration of the LBCA by the local planning authority fails to have regard to the extent to which the works may prejudice the future adaptive re-use of the Brick Warehouse building. I consider that this should be properly assessed in the consideration of the proposed works particularly where the viability of a future conversion may be affected. As submitted, the proposed works will fall contrary to guidance contained in Paragraph 197 of the Framework to take account of the desirability of sustaining and enhancing the significance of heritage assets and considering viable uses consistent with their conservation.

### **Stone Warehouse in Goods Yard**

#### **New North Parade**

#### **Grade II Listed Building**

#### **List Entry Number 1287149**

- 4.10 The Stone Warehouse, now known, following conversion, as Brian Jackson House, was added to the statutory list in 1978 and was constructed during the mid-19<sup>th</sup> century, with later 19<sup>th</sup> century alterations, as a goods warehouse for the Lancashire and Yorkshire Railway. A building is shown in this position on the 1851 Ordnance Survey (OS) plan although the building was enlarged and extended during the 1870s-1880s. The Warehouse is constructed in a hammer-dressed stone with grey slate roof, set behind a parapet, to a neo-classical design with relatively simple stone detailing. The building was converted during the 1980s and now houses the Yorkshire Children's Centre.
- 4.11 The Stone Warehouse retains historic and architectural significance in illustrating the industrial expansion of Huddersfield during the mid-to-late 19<sup>th</sup> century. The historical functional relationship with the rail station remains well evidenced and the visual inter-relationship with the contemporary station complex, tracks and infrastructure is a significant contributor to setting. The Warehouse and its relationship with the station and Brick Warehouse to the north is particularly well represented in views from Westgate and St. Georges Street. From these vantage points, the inter-relationship of the two warehouse buildings with the main station building and canopy roof structures holds a high level of heritage value and presents a local townscape largely unaltered since the 19<sup>th</sup> century.
- 4.12 The proposed works will not directly impact upon views towards or from the Stone Warehouse although the new canopy structure will introduce a distinct new visual element within views

towards the building from the south. As noted in respect of the Brick Warehouse, the canopy will be distinct from the more traditional forms and materials of the station and warehouse buildings. The new structure will tend to break up the visual inter-relationship of the 19<sup>th</sup> century buildings within these views and the shared group value. Whilst relatively minor in terms of impact upon the setting of the Stone Warehouse a degree of harm can be identified and I consider this to be less than substantial in Framework terms.

### **Tower in North West Corner of Railway Yard**

#### **Fitzwilliam Street**

##### **Grade II Listed Building**

##### **List Entry Number 1289593**

- 4.13 The Tower is located at the north-western corner of the railway yard (NGR: SE14274 17057) to the west of the station complex and around 70m to the north of the Brick Warehouse. The structure comprises a hydraulic accumulator tower, along with steam engine and pump house building (the attached structure is likely a later reconstruction) was constructed in around 1878 to supply power to the London and North Western Railway Brick Warehouse and shares a commonality in terms of Italianate detailing and material treatment. The historic functional relationship of the two buildings remains significant and the relationship of the Tower with the railway yard to the south and Huddersfield Station buildings and infrastructure contributes positively to significance.
- 4.14 The Tower is well represented in views from Fitzwilliam Street where the structure is prominent, set against the skyline, and from the yard and station areas to the south and south-east. The views available from the Street take in the visual relationship of the Tower with the Brick Warehouse, the railyard and the station canopies and upper sections of the main station building. The visual inter-relationship of these buildings and structures is significant to their shared setting and in evidencing the historic and functional context of the Tower.
- 4.15 As with the consideration of impacts upon the Stone Warehouse, the new canopy footbridge, will significantly affect and detract from the composition of views, particularly those from Fitzwilliam Street which take in the Tower and its historic and contemporary setting. The new canopy structure and bridge will screen a large part of the 19<sup>th</sup> century roof A canopy within views from the Street and the contrasting design and material treatment will break up the

visual relationship of the Brick Warehouse and accumulator with the original 19<sup>th</sup> century station roofscape.

- 4.16 Whilst relatively minor in extent I consider that the proposed works, particularly in respect of the new canopy and footbridge structures, will detract from the heritage value of views towards the Tower from Fitzwilliam Street. This will give rise to harm, considered to be less than substantial, to the significance, within setting of the listed building.

#### **Huddersfield Town Centre Conservation Area**

- 4.17 Whilst not a principal consideration of this Proof, it is evident that the combined impact of the proposed works upon positive elements within the Conservation Area will have negative effect. This will primarily relate to impacts upon significant views towards the Station complex from Fitzwilliam Street, Westgate and St. Georges Street. I consider that these impacts will amount to less than substantial harm in Framework terms.

#### **Summary**

- 4.18 Whilst it is evident that the proposed works, particularly in respect of the canopy design, have gone through a series of iterations intended to minimise harmful impact upon the historic environment, it is clear that the works will have a significant visual impact. This will impact upon the shared settings of the Station, Brick and Stone Warehouses and Tower and the composition of views which evidence the historic inter-relationship of these structures.
- 4.19 In the consideration of potential impacts, both the applicant and local planning authority place weight on the ability of the works to open out views from the Station complex onto the Listed Buildings and railway yard to the west. These views are however already available from within the Station complex and limited consideration is given to the impact of the new canopy, facilitated by the removal of 19<sup>th</sup> century fabric comprising Roof B, and footbridge upon external views from the north and south. Whilst other benefits, including heritage benefits, are set out within the assessments these, were they to be accepted as such, do not remove the elements of harm identified to the designated heritage assets considered above.

## 5.0 CONCLUSIONS

- 5.01 This Proof of Evidence has considered the potential localised impacts of the proposed works at Huddersfield Station upon Grade II Listed Buildings to the west of the station, comprising the Brick Warehouse, Stone Warehouse and accumulator Tower. These buildings and associated structures have a shared setting and historic functional inter-relationship which remains well evidenced in views towards and from the station complex. The proposed works, particularly the new canopy structure to the west of the complex and footbridge to the north, will have a significant impact upon the composition of views towards the assets from Fitzwilliam Street, Westgate and St. Georges Street which will give rise to less than substantial harm. The proposals will also impact upon the viability of the adaptive conversion and re-use of the Brick Warehouse. In respect of the 2006 permission for conversion this will also prejudice the construction of the external pedestrian stair and lift tower. The LBCA submission and supporting documents have failed to demonstrate that the proposals would not, given this viability impact, fall contrary to the provisions of Policy 197 of the Framework.
- 5.02 The Environment Statement and LBCA submission, and consideration given to the proposed works, by the local planning authority provides very limited assessment of these impacts and the negative effects of the works upon significant views towards the station and the assemblage of designated heritage assets to the west. Whilst acknowledging the visual impact of the proposals the assessment undertaken by the local planning authority fails to acknowledge potential harmful impacts and, in my view, places undue weight upon the perceived heritage benefits of the proposals. Whilst these should be considered as part of the balancing exercise under Paragraph 202 of the Framework they do not remove the elements of harm to the setting of the identified assets.
- 5.03 In conclusion, I consider that the proposed works at Huddersfield Station will, to varying degrees, give rise to harm to the settings of the Grade II Listed Brick Warehouse, Stone Warehouse and accumulator Tower and, consequentially, to the significance or character or appearance of the Huddersfield Town Centre Conservation Area. These impacts have not been acknowledged within the application submission or assessment undertaken by the local planning authority. Further, no consideration has been given to the impact of the proposed works upon the viability of the future adaptive re-use of the Brick Warehouse.

- 5.04 The less than substantial harm identified should be considered, with due weight given, having regard to the provisions of Paragraph 202 of the Framework and the requirements of the 1990 Act. Policy LP35 of the KLP also makes clear that development proposals affecting designated heritage assets should preserve or enhance the significance of the asset. Given the finding of harm to the setting of designated assets to the west of the Station, and the acknowledgement of a degree of harm to the significance of the Station building itself, the proposals will clearly conflict with this Policy.
- 5.05 The consideration of the justification for the proposed works and of the balancing exercise implicit within Paragraph 202 of the Framework falls outside of the scope of this proof and will be a matter for the determining authority. I consider that this exercise cannot be properly undertaken, in accordance with the statutory duty set out within the 1990 Act, without acknowledgement and assessment of the impacts upon designated assets to the west of the site. The submitted Environment Statement and LBCA fail to adequately undertake this assessment.