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**Report of the Chief Planning Officer**

**SOUTH & WEST PANEL**

**Date: 03.10.2024**

**Subject: 22/00158/FU & 22/00159/LI – Change of Use Planning Application and Listed Building Consent relating to redundant Listed Grade II church to online clothing business and ancillary café at the Church Of The Holy Spirit, Tempest Road, LS11 7EQ**

**APPLICANT**

Via Agent – Crooks  
Architecture

**DATE VALID**

07.01.2022

**TARGET DATE**

28.06.2024

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**Electoral Wards Affected:**

Hunslet and Riverside

Yes

Ward Members notified  
(referred to in report)

**Specific Implications For:**

Health and Wellbeing

Inclusive Growth

Zero Carbon

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**RECOMMENDATION: GRANT PERMISSION to 22/00158/FU subject to the conditions set out below (with amendments or addition to the same as deemed appropriate):**

**GRANT LISTED BUILDING CONSENT to 22/00159/LI subject to the conditions set out below (with amendments or addition to the same as deemed appropriate):**

**Conditions 22/00158/FU**

1. Time Limit
2. Approved Plans
3. Building Opening Hours
4. Retail by Appointment only
5. Delivery Hours
6. Delivery Vehicles
7. Waste Storage
8. Cycle Storage

**Conditions 22/00159/LI**

1. Rooflight Details
2. Masonry Repair Details

3. Roof Repair Details
4. Guttering Details
5. Window Repairs and Refurbishment Details
6. Void Management Plan
7. Pictures/Poster
8. Hoist for Bins
9. External Vents
10. Steel Framework and Mezzanine Details
11. Glazing Details
12. Balustrades and Handrail
13. Platform Lift
14. Stairs
15. Dais Removal Details
16. Organ Screen Details
17. Timber Stud Walls
18. Fixtures and Fittings
19. Lighting, Heating, Fire Detection

### **INTRODUCTION:**

1. These applications are brought to Plans Panel at the request of Ward Cllrs Iqbal, Wray and Carlisle who have raised concerns relating to parking and highways issues and the desire to retain the building for a community use. It is considered that the applications should be referred to this Plans Panel for determination as the matters relating to parking and highways raised by Ward Members are material planning considerations that give rise to concerns affecting more than neighbouring properties. This meets the criteria outlined in the Officer Scheme of Delegation and it is appropriate to report the applications to Panel for determination.
2. Members are asked to determine both applications 22/00158/FU and 22/00159/LI together. The full planning application (22/00158/FU) relates to the change of use of the building and the insertion of two rooflights with other minor external alterations and the listed building application relates to the internal and external alterations, repairs and refurbishments to the listed building. The details of which are set out within the appraisal of this report.

### **PROPOSAL:**

3. The proposal relates to the change of use of the vacant Grade II Listed, Church of the Holy Spirit to an online clothing business and an ancillary café, with internal and external alterations to the building, including the insertion of 2 rooflights. Some 'in person' retailing is also anticipated but will be by appointment only. The building is situated in Beeston Hill built at the turn of the 20th Century. The full application covers the change of use of the of the Church from F1(f) to a mixed-use E(a) and E(b) use and the insertion of two rooflights with other minor external alterations. The listed building application covers the internal and external alterations to the building such as, but not limited to, refurbishing the windows and doors, creating a mezzanine and the insertion of partition walls.

The building operating hours will be as follows;  
Monday – Saturday: 6am – 19:00pm

Sunday/Bank holidays: Closed

The ancillary appointment-based retail business will operate as follows;

Monday – Friday: 9:30am – 17:15pm

Saturday: 11am – 4pm

Sunday/Bank holidays: Closed

The ancillary café and heritage hub opening hours will operate as follows;

Monday Tuesday Thursday Saturday: 10:00 am – 4:00pm

Wednesday Friday Sunday: Closed

## **SITE AND SURROUNDINGS**

4. The site relates to a Grade II Listed Church located in Beeston. The church is situated to the South of Jamia Masjid Abu Huraira Mosque and to the North of Building Blocks Nursey. The area surrounding is predominantly residential comprising of terraced red brick properties with a parade of cafes, takeaways and commercial businesses. The Church is constructed of coursed squared gritstone with ashlar details a slate roof and gable copings in a Gothic Revival style. The external boundary treatment consists of wrought iron railings painted black. To the West of the Church outside of the application boundary lies a small landscaping strip with a monument and shrubbery.

## **RELEVANT PLANNING HISTORY:**

5. 21/102/00/RM - Detached healthy living centre and detached church and community hall – Approved – 15.08.2000  
21/114/02/FU - Two 2 storey extensions and single storey extension and disabled access ramp to church hall – Approved – 13.06.2002  
21/56/02/FU - Detached community hall and parenting centre – Approved – 21.05.2002

## **HISTORY OF NEGOTIATIONS:**

6. The applicant has sought to improve the scheme to address concerns raised by local residents and by local ward members. The applicant has provided a travel plan and parking management information which is supported by the highways team. The applicant has also provided a detailed plan on how to manage the concerns of fly tipping and anti-social behaviour in the voids surrounding the building. Initial concerns were raised regarding the level of information provided with regard to the listed building. This has now been addressed through the submission of a heritage statement along with the agreement to a number of pre-commencement conditions relating to the further detailed design of the internal and external alterations to the listed building.

## **CONSULTATION RESPONSES:**

### Statutory Consultees:

7. Flood Risk Management – No objection

### Non-Statutory Consultees:

8. Highways – No objection subject to conditions regarding details of cycle and waste storage
9. Historic England – No comment
10. Conservation – No objection

*“I’m supportive of the proposed scheme that will secure a sustainable use for the redundant listed church which is in a declining condition. Due to its condition and vacancy, I have added it to the Council’s Heritage At Risk list and will be in touch with the Diocese, as current owners, regarding works urgently required to prevent further damage. The proposals do involve a degree of harm, but this can be mitigated through design and detailing and is justified and acceptable as it delivers a use that retains heritage significance better than likely alternative possible uses for the building such as residential use. The nave and chancel remain full height spaces with subdivision being restricted to the aisles and detailed as highly glazed interventions. Much of the detail is to be designed following purchase and therefore I recommend a number of conditions to agree full construction detail proposals.”*

#### **PUBLIC/LOCAL RESPONSE:**

##### Ward Member Comments:

11. Ward members object due to the unsuitability of the site and its impact on parking and local amenity
  - Two other venues nearby create significant traffic
  - No parking available on site for employees
  - Loading and unloading delivery vehicles will be an issue for parking
  - Refuse collection concerns and storage
  - Land dispute with the adjacent nursery
  - Densely packed community
  - The building should remain in community use
  - Not convinced how long lasting the café and heritage centre will be

##### MP Comments:

12. MP Hilary Benn objects to the application
  - Unsuitable location for online sales business
  - Lots of deliveries and collections will be a lot of pressure on parking in the area
  - Area of Building Blocks Centre wrongly shown as part of the application

##### General Comments:

13. The voids around the church are an environmental hazard for fly tipping and vermin
  - A sustainable plan should be in place to prevent this
  - If they can’t address this I am against the application

##### Comments in Objection:

14. Increase in traffic, vans and Lorries
  - Already too much traffic in the area from nearby shops
  - Out of character with others on Tempest Road
  - This should be on an industrial estate
  - Children crossing roads nearby
  - Property map includes the garden of adjacent site
  - Noise from business activities and during the building works
  - Voids around the church encourage fly tipping, antisocial behaviour and litter

Object to the use of specific doors due to their location adjacent to children's play areas

Will the applicant and on-site managers liaise with the nursery

Will the building work impact the outdoor space of the nursery

## **PLANNING POLICIES:**

### *LOCAL PLANNING POLICY AND GUIDANCE*

#### The Development Plan

15. As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004 this application has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan currently comprises the adopted Local Development Framework Core Strategy (2019), those policies saved from the Leeds Unitary Development Plan (Review 2006), the Site Allocations Plan (2019, as amended 2024), the Natural Resources and Waste Development Plan Document (2013, as amended 2015), the Aire Valley Leeds Area Action Plan (2017).
16. The following policies from the Core Strategy are considered to be of most relevance to this development proposal:

**General Policy** – Sustainable Development and the NPPF

**P9** – Community facilities

**P10** – Design

**P11** – Conservation of Historic Environment

**T2** – Accessibility requirements

17. The following saved policies from the Unitary Development Plan are considered to be of most relevance to this development proposal:

**GP5** – Detailed Planning Considerations

**BD6** – Extensions and Alterations

**N15** – Change of use of Listed Buildings

**N17** – Features and Internal Features of Listed Buildings

18. The following policies from the Natural Resources and Waste Local DPD are considered to be of most relevance to this development proposal:

General Policy 1

#### Relevant Local Supplementary Planning Guidance/Documents

19. The most relevant local supplementary planning guidance (SPG), supplementary planning documents (SPD) are outlined below:

Transport SPD (2023)

### *NATIONAL PLANNING POLICY AND GUIDANCE*

#### National Planning Policy Framework

20. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system. The NPPF must be taken into account in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.
21. The following sections of the NPPF are most relevant for the purposes of determining this application:
22. Chapter 16: Conserving and Enhancing the Historic Environment
- National Planning Practice Guidance
23. The Planning Practice Guidance (PPG) provides commentary on the application of policies within the NPPF. The PPG also provides guidance in relation to the imposition of planning conditions. It sets out that conditions should only be imposed where they are necessary; relevant to planning and to the development to be permitted; enforceable; precise and reasonable in all other respects.
- Other Relevant Legislation
24. Under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in considering whether to grant planning permission for a development which affects a listed building or its setting the council must 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

#### **CLIMATE EMERGENCY:**

25. The Council declared a climate emergency on the 27<sup>th</sup> March 2019 in response to the UN's report on Climate Change.
26. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.
27. As part of the Council's Best City Ambition, the Council seeks to deliver a low-carbon and affordable transport network, as well as protecting nature and enhancing habitats for wildlife. The Council's Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.

#### **PUBLIC SECTOR EQUALITY DUTY:**

28. The Equality Act 2010 requires local authorities to comply with the Public Sector Equality Duty. Taking into account all known factors and considerations, the requirement to consider, and have due regard to, the needs of diverse groups to eliminate discrimination, advance equality of opportunity and access, and foster good relations between different groups in the community has been fully taken into account in the consideration of the planning application to date and at the time of making the recommendation in this report.

## MAIN ISSUES:

Principle of Development  
Design and Character of the Listed Building  
Highway and parking matters  
Accessibility  
Other Matters  
Representations

## APPRAISAL:

### Principle of Development

29. Saved Policy N15 states “*where the original use of a listed building is no longer required, proposals for a change of use will be favourably considered providing that the new and adapted use does not diminish the special architectural or historic value of the building and its setting*”. The church was closed for public worship on 1<sup>st</sup> March 2018 and has been vacant since this point. When a Church is proposed for closure the Church Commissioners undertake a lengthy statutory consultation process under Ecclesiastical legislation called the Mission and Pastoral Measure 2011. The Diocese of Leeds and the Church Commissioners for England extensively marketed to find a new owner and sustainable use for the building. As the use of the church as a place of worship is no longer considered to be required, a change of use should be favourably considered, as stated by Policy N15. In view of the passage of time and the previous marketing undertaken, no conflict with policy P9 is identified also.
30. The applications will ensure the heritage asset is brought into use and will help to retain its important features within the streetscene. The Conservation Officer has noted that the proposal does involve a degree of harm but has set out how this harm can be mitigated through design and detailing conditions.
31. NPPF paragraph 203 states that in determining applications LPA’s 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.*

When considering part a, the use of the Church as a place of worship has ceased and is no longer required within the area. The Conservation Officer considers that the change of use proposed will retain the heritage significance better than likely alternative possible uses for the building. When considering the proposal in relation to part b, the proposed use will provide a positive economic contribution to the local community through the growth of the business which will seek to employ up to an additional 8 members of staff. When considering part c, the proposal will not significantly alter the external fabric of the building aside from repairs and the insertion of two rooflights with other minor external alterations. The repairs to the external fabric of the listed building will make a positive contribution to the local character. The

rooflights will be a modest addition which will be discreet with their positioning and size. The internal alterations will result in some harm through dividing up of the original layout but will still maintain the important historic features of the building. Members of the public will be able to appreciate the historic features of the listed building through the applicant's creation of a heritage hub and cafe which will be open on specific days of the week.

32. NPPF paragraph 206 states *any harm to or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:*

*a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*

The proposed works to the grade II listed building in terms of causing harm, occurs from dividing the internal layout of the church by introducing a mezzanine floor. However, as noted previously the Conservation Officer has stated that the harm can be mitigated through the design and detailing of the alterations. Similarly, all repairs and refurbishments works need to be fully agreed in advance. This can be controlled through conditions which require detailed methods for each facet of the works to the internal and external fabric of the building. Furthermore, the dividing up of the space is justified through the applicant's proposal to repair and refurbish parts of the listed building which have come into disrepair during the building's period of vacancy. Fundamentally, the proposal will bring the at risk building back into a meaningful use which is the best way of preventing further deterioration.

33. The Conservation officer notes also that the proposal delivers a use that retains the heritage significance better than many alternative uses for the building such as residential use. Thus, this proposed change of use can be favourably considered.
34. The change of use of the building is considered for determination under application 22/00158/FU. The change of use of the Grade II Listed Church from a place of worship F1(f) to an online shop with an ancillary appointment based retail E(a) and ancillary café E(b) use is considered to be acceptable in its location. The predominant use E(a) is considered appropriate in an out of centre setting as this will be restricted by a condition which limits in person custom by appointment only. In addition to this the ancillary Café E(b) corresponds to the existing uses within the area. The site is adjacent to a parade of commercial units, such as cafés, hot food takeaways and hairdressers and is within a row of community businesses such as the nursery and community centre. In consideration of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the LPA considers that the alterations, repairs and refurbishments of the listed building will result in less than substantial harm. The repairs will improve the condition of the building which mitigates the less than substantial harm generated by the sub-division of the internal layout, insertion of mezzanine and rooflights.

#### Design and Character of the Listed Building

35. Policy P10 of the Leeds Core Strategy deals with design and states that alterations to existing development should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. Developments



should respect and enhance, streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing.

36. The proposal to change the use results in alterations to the internal aspects and some external alterations are proposed. As already acknowledged, the proposal will introduce some degree of harm but this can largely be mitigated through the detailed design which can be secured by conditions.
37. The physical works proposed are considered under both applications. The alterations will introduce two rooflights, one per side, new guttering, a hoist for bins, external vents and the addition of a poster on the external walls, albeit this requires separate advertisement consent so is not the subject of consideration now. The insertion of two rooflights and external vents would be a modest additions and do not cause significant harm to its special nature. The proposal will also include various repairs to the building such as repairs to the masonry, roof and windows. These repairs and refurbish works are clearly welcomed. Overall, the external works proposed are modest and are supported.
38. Internally the Nave will remain a full height space, safeguarding the special character of the space, with no intermediate floors and maintaining the open aspect through to the raised Chancel. The Chancel will retain all its present liturgical furniture and fittings. At the West end, the Narthex which is raised above the main floor level and into which the main entrance opens will also remain the same. The Font with its ornate carved oak canopy will be retained.
39. A small café space will be created in the South-West corner for use by those visiting the building, when open. This will allow the building to retain an aspect of community access and use, and will be allowed on specific days as detailed above within the proposal. In the North and South Aisles behind the arcades, a mezzanine floor will be inserted at column capital level and the arcades glazed to create offices. Below these floors will be stock rooms looking onto the current worship space. In the North Aisle the office space will extend into the base of the Tower to provide staff accommodation and an office.
40. The proposals generally seek to minimise subdivision and where that is required for privacy or security, it is kept to the minimum amount and glass used where possible to maintain views and natural light patterns. Studwork partitions will be built up off existing floors within minimal impact on the historic fabric. The new mezzanine floors are designed such that new steel supporting columns will be located behind the arcade columns and supporting a steel frame which will be hidden behind a fascia which corresponds with the height and depth of the column capitals.
41. The floors will respect existing openings. These columns will require footings and so there will be a requirement for very localised excavation and casting of new concrete footings, which will be designed by a Specialist Structural Engineer.
42. Existing finishes and furnishings are proposed to be retained and, where needed repaired. New lighting and heating will be installed, along with fire detection and escape provisions. All the lifts will require some degree of "pit" and or slab, but these are shallow, and any tiles taken up to accommodate these, will be used elsewhere for repairs or stored in the basement.
43. The internal alterations proposed by the applicant will alter the internal layout of the listed building, which will result in some harm. However, the proposal also seeks to

retain the special nature of the listed building through refurbishing and repairing elements of the structure and retaining any materials which can be used elsewhere. In addition to this, special features of the internal building will remain untouched such as the Nave and Font. The internal proposals will result in some harm, as stated, to the structure and layout of the listed building however, it is not considered to be significantly harmful when taken into consideration with the repairs and refurbishments proposed and helping to bring the building back into an active use.

44. The details listed above relating to both internal and external works will be developed in more detail for approval by the Conservation Officer through the use of conditions. The conditions will require detailed plans and method statements to be submitted prior to the commencement of development but overall, the Conservation officer is content with the design principles that have been set out.

#### Highway and parking matters

45. Policy T2 of the Core Strategy and GP5 of the UDP require highway safety to be protected, which includes the provision of safe access and adequate off-street parking in accordance with current guidelines. Notwithstanding NPPF paragraph 115 states *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”*.
46. The applicant has provided updated travel information in response to the comments from third parties that have been raised and which sets out the likely impact on the residential area and how the applicant intends to tailor the opening hours and delivery times to help mitigate the impact. For context, the application involves the relocation of an existing business and current staff levels are modest at only 2 staff members. The applicant notes this may increase as the business grows upto a possible 8 or 10 staff. This level of employment is relatively low from a traffic generating perspective bearing in mind the size of the building. The likelihood of all staff driving to the site alone is also small and this is supported by the Council’s own evidence gathered as part of the Travel to work Survey. It is also hoped that these newly created jobs will be filled by local people, again further reducing the demand for parking. In addition, the applicants are proposing the building to be closed for any customers/ visitors on Fridays 12:45pm – 2:45pm which will ensure almost zero impact on the local traffic which can be exceptionally heavy during those hours due to the neighbouring mosque. This is welcomed but will not be restricted by the LPA through a condition, as this would not meet all requirements of the relevant NPPF conditions tests.
47. There will be few deliveries on average 5-10 boxes per fortnight. These will be delivered in standard size delivery vans and not in large HGVs. A condition is recommended to restrict the use of HGV’s.
48. The café and heritage hub will only open 4 days a week, the timings are proposed to have minimal impact upon local traffic. The heritage hub and café are unlikely to result in an increase in parking at the site due to the size of the café space within the building. This will make up less than 50m<sup>2</sup> of the internal floor space.
49. In terms of the highway assessment more generally, the previous use of a church would have been expected to have had similar levels of parking to the proposed use. Deliveries are proposed to take place from Stratford Street which has a carriageway width of 7.3m. This is acknowledged as being tight in terms of accommodating vans

parked for deliveries and still allowing two-way passing. However, residential properties surrounding the site will likely themselves already have deliveries undertaken in a similar manner due to the growth in on-line shopping and the associated deliveries that taken place.

50. Notwithstanding the compact arrangement of the local highway network, the Traffic team has been consulted regarding opportunities for contributing towards traffic schemes in the area aimed at management of on-street parking and loading immediately around the application site. The Traffic team have advised that there are no suitable schemes in the area at present, which a contribution could be used for. However, given the scale of the proposal and that the Highways Team have noted the comparable parking levels between the existing and proposed use, it is not considered that a contribution should be sought even were a scheme to exist.
51. Highway officers acknowledge that there are parking pressures in the area given the lack of off-street parking for residential properties and the adjacent nursery, mosque and the Hamara healthy living centre. It is understood that the introduction of any further parking and servicing/delivery demands could raise concerns. However, in the past the church would have generated the requirement for some on street parking and as highway comments indicate, parking levels for the proposed use are expected to be like that of the existing use as a church.
52. A loading bay was put to the Highways Team as a suggestion of how to control the impact of delivery vehicles to the site. However, having a dedicated loading bay is likely to remove capacity for on-street parking further exacerbating the parking issue. The additional information provided by the applicant indicates a form of management plan cognisant of the traffic flow during periods due to neighbouring properties and in addition sets out the deliveries to site and the frequency, which it is considered can be accommodated within the highway network without causing detrimental impact to highway safety.

#### Accessibility

53. Local Planning Policy seeks to ensure developments proposals are accessible to all. This proposal is predominantly for a change of use with limited alterations to the external fabric of the building due to its listed status. The proposal has step free access through the main entrance on Stratford Street and lifts are proposed internally to allow access where levels change. An accessible toilet facility will be provided on the main ground floor level.

#### Other Matters

54. The applicant has submitted a detailed plan for the voids of the Church on Lodge Lane to prevent fly tipping, litter and anti-social behaviour which has been raised as an issue by local Ward Members and local residents. It should also be noted that bringing the building back into use will also help to prevent some of these issues. The plan is as follows;
55. A thorough clean-up of all the voids around the perimeter of the church.
56. Installation of a tensile netting to the Stafford Street (shallower) voids, to ensure no rubbish goes into the voids. This will be installed on stainless steel eyelets in the back of the boundary wall (just below the copings), sloping up slightly and into the most appropriate bed joint in the North wall of the building. For access/escape reasons this cannot be implemented in the voids outside the fire escape or main entrance.

57. To the Lodge Lane voids, which are deeper and have historically been subject to more significant fly tipping, we suggest that a rigid grating be installed (like a gantry), such that it does not affect ventilation of the building, but can take the loading of larger objects thrown in. Both inaccessible voids would be subject to this, with the grating to the most Northerly void being set just below coping level, as elsewhere, but the central void being set at street level to allow a new gateway to be installed in the boundary wall to create a bin store on the grating. This also provides improved access for maintenance of that area.
58. Both grated voids would be fitted with access hatches for maintenance.
59. The void with the fire escape in cannot be covered over or infilled due to the need to maintain an unincumbered escape route, but the access via the cellar door does mean it can easily be maintenance and kept clear.
60. Installation of CCTV cameras around the perimeter of the building with clear notices to the public NOT to be involved in fly tipping. The applicants are willing to work with Leeds City Council on plan around issuing penalties to anyone found guilty of fly tipping, if required.
61. The plan to prevent fly tipping and anti-social behaviour within the voids of the church will be subject to full detailed approval by the Conservation Team, where it requires alterations, extensions or fixtures to the internal and external fabric of the listed building.

#### Representations

62. Eleven letters of representation were received in relation to the applications with the material considerations addressed in the report above.

#### **CONCLUSION:**

63. The proposal under application 22/00158/FU to change of use of the Grade II Listed Church F1(f) to an online shop with an ancillary appointment-based retail use E(a) and ancillary café E(b) is acceptable as the use is supportable in its location due to the surrounding commercial and community uses. It is acknowledged that there will be some increase in parking at the site, but this is because the church is not in use and parking levels will generally be no greater than that which the existing use would create. Thus, the proposal cannot be justified to be refused on highways safety and parking impacts. The proposed alterations externally comprising of two rooflights and other minor alterations are acceptable and will result in no significant harm to the character of the area and will not be harmful to the listed building.
64. The proposal under application 22/00159/LI is considered to be very desirable to bring an at risk listed building back into use and although it will result in a degree of harm through the partition of the internal layout and construction of a mezzanine, it is accepted that the harm is less than substantial and can be mitigated through detailed design which will be conditioned. The application would meet the requirements set out within section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as the LPA considers that the alterations, repairs and refurbishments of the listed building will result in less than substantial harm and will preserve the special architectural features of the building. The repairs and refurbishments will improve the condition of the building and retain its heritage which mitigates the less than substantial harm generated by the sub-division of the internal layout, insertion of

mezzanine and rooflights. The proposal is therefore justified and acceptable as it delivers a use that retains heritage significance better than likely alternative possible uses. In addition to this, the proposal will provide repairs and refurbishments to the listed building which will improve its current condition.

65. Considering the above in this case, it is determined that the proposed development is in accordance with the development plan for the reasons set out in the report above and there are no overriding material considerations to indicate otherwise. The applications are therefore recommended for approval.

#### **BACKGROUND PAPERS:**

Application file references: 22/00158/FU & 22/00159/LI

Certificate of ownership: Certificate B