

**KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE**

DEVELOPMENT MANAGEMENT

**Town and Country Planning Act 1990 (as amended) – SECTION 220 &
Town and Country Planning Act (Control of Advertisements) (England)
Regulations 2007 - Regulation 14**

**DELEGATED DECISION TO DETERMINE PLANNING APPLICATION FOR
ADVERTISEMENT CONSENT**

Reference No: 2017/64/92316/E

Site Address: Unit 3B, Fountain Court, Huddersfield Road,
Roberttown, Liversedge, WF15 7QQ

Description: Erection of 2 illuminated and 2 non-illuminated signs

Recommending Officer: Emma Thompson

DECISION – GRANT ADVERTISEMENT CONSENT

**I hereby authorise the approval of this application for the reasons set
out in the officer's report and recommendation annexed below in
respect of the above matter.**

Sarah Longbottom

AUTHORISED OFFICER

Date: 22-Dec-2017

Site Description

Fountain Court, Huddersfield Road, Roberttown, Liversedge

The application site relates to the recently completed/occupied Fountain Court retail site. The site was redeveloped following demolition of the former factory which was used for go-karting.

The existing building is of single storey located on a large site with areas of parking. Unit 3b is occupied by Greggs and is subject of this application.

Access to the complex is directly from Huddersfield Road. At the time of site visit there was ample vacant parking spaces. Servicing is to the rear of the units accessed via a point at the southern end of the complex. Turning exists for service vehicles to the rear.

Description of Proposal

2 fascia signs: Proposed to the front and side elevation. 0.5m height x 2.15m width x 0.1m depth – aluminium and Perspex; Fascia finished slate grey to match RAL 7015. Badge box sign constructed from 10g aluminium, stove enamelled blue to RAL 5019 with 65% horizontal gradient to Pantone Processed Cyan. 'Greggs' lettering in fret cut opal Perspex. Quattro dots fret cut Perspex to Pantone 1235C. Internally illuminated luminance level 500. Cd/m

2 window graphics: laminated card: 1.2m height x 0.6m non illuminated

History of negotiations/amendments received

None requested

Relevant Planning History

2008/93380 – outline application for B1 business units – approved

2012/91320 – outline application for 5 no. mixed use B1 and A1 units - approved

2015/90510 – reserved matters application (following the 2012/91320 outline pp) – approved

2015/93708 – variation of condition 16 (deliveries & dispatches) on application 2012/91320 to allow 7am – 10pm Mon – Sat, and 9am – 9pm Sundays & Bank Holidays – approved.

2015/93999 – alterations to shop front and car park layout for Unit 1 – approved

2017/90481 – Change of use of units 2 and 3 to A1 and A3 uses, external alterations to units 2 and 3, revised access, parking and landscaping layout and erection of substation

2017/92315 – Air conditioning units and grilles – pending consideration

Representations

No publicity required

Representations received – concerns raised regarding light

Consultations

None required

Policy

The statutory development plan comprises the Kirklees Unitary Development Plan (saved Policies 2007).

The statutory development plan is the starting point in the consideration of planning applications for the development or use of land unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004).

The Council is currently in the process of reviewing its development plan through the production of a Local Plan. The Council's Local Plan was submitted to the Secretary of State for Communities and Local Government on 25th April 2017, so that it can be examined by an independent inspector. The Examination in Public began in October 2017. The weight to be given to the Local Plan will be determined in accordance with the guidance in paragraph 216 of the National Planning Policy Framework. In particular, where the policies, proposals and designations in the Local Plan do not vary from those within the UDP, do not attract significant unresolved objections and are consistent with the National Planning Policy Framework (2012), these may be given increased weight. At this stage of the Plan making process the Publication Draft Local Plan is considered to carry significant weight. Pending the adoption of the Local Plan, the UDP (saved Policies 2007) remains the statutory Development Plan for Kirklees.

The site is unallocated on the UDP Proposals Map and unallocated on Kirklees Publication Draft Local Plan.

Kirklees Unitary Development Plan:

D2 – General Development Policy

BE1 – Design principles

Kirklees Publication Draft Local Plan (PDLP):

PLP 1 – Achieving sustainable development

PLP 2 – Place shaping

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 27th March 2012, together with Circulars, Parliamentary Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

Chapter 7 – Requiring good design

Assessment

The NPPF seeks a presumption in favour of sustainable development and seeks to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings, as well as taking account of the character of different areas and the way they function.

Paragraph 67 of the NPPF considers that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. However, advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

In this instance, the proposed signage, due to its position, design and scale would not result in any detriment to amenity or public safety. However due to the proximity to residential properties it is considered necessary to impose conditions regarding the luminance levels and also hours restricting the lighting of the signage.

As such, the proposed advertisements are considered to comply with paragraph 67 of the NPPF, as well as Policies D2 and BE1 of the UDP, in terms of achieving good design.

To conclude, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that the development would constitute sustainable development and is therefore recommended for approval.

Recommendation

Grant advertisement consent

Decision Authorisation - Delegated Powers**Application Number:** 2017/92316**Officer Recommendation:** Grant advertisement consent**Conditions and Reasons**

Standard 5 advert conditions

PLUS:

6. Levels of illuminance of the signage hereby approved will not exceed 500.00 cd/m at any time.

Reason: To protect the amenity of nearby occupants and to accord with Policy D2 of the Kirklees Unitary Development Plan and guidance contained within the National Planning Policy Framework.

7. The advertisements hereby approved shall not be illuminated before 7am and after 11pm Monday to Sunday.

Reason: To protect the amenity of nearby occupants and to accord with Policy D2 of the Kirklees Unitary Development Plan and guidance contained within the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	K16/5991/01d		5th July 2017
Proposed elevations	RPEN/S4904/06		5th July 2017
Proposed sections	RPEN/S4904/05		5th July 2017
Existing sections & elevations	RPEN/S4904/02		5th July 2017
Proposed site layout	K11/5407/19a		5th July 2017

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. The application is considered acceptable as submitted, subject to the conditions imposed.

Report Dated:

20/12/17
