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:	2019/64/90812/W
Site Address:	Jaguar, Lindley Moor Road, Lindley Moor, Huddersfield, HD3 3TD
Description:	Advertisment Consent for installation of 9. internally illuminated signs 4. non illuminated signs and 9. non illuminated freestanding signs
Recommending Officer:	Callum Harrison

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.

Emma Thompson

AUTHORISED OFFICER

Date: 15-May-2019

Site Description

The Jaguar site on Lindley Moor Road is a new commercial unit for selling Jaguar and Land Rover vehicles. The site is still under construction. The site is large in scale and set next to an additional commercial and industrial unit.

Description of Proposal

Permission is sought for Advertisement Consent for the erection of 9no. internally illuminated signs, 4no. non-illuminated signs and 9no. non illuminated freestanding signs which comprises of the following:

1 x internally illuminated dual brand pylon sign 'a'
Height: 5.3 x width: 2.1 x Depth 0.228 metre(s)
Luminance: 150 cd/m2 – static

1 x internally illuminated jaguar leaper and letters sign ‘b’
Height: 0.65m x Width: 8.229 x Depth: 0.155 metre(s)
Luminance: 100 cd/m2 – static

1 x internally illuminated land rover word mark & logo sign ‘c’
Height: 0.85 x Width 9.479 x Depth 0.176 metre(s)
Luminance: 100 cd/m2 – static

2 x internally illuminated jaguar leaper with letters signs ‘d’ and ‘f’
Height: 0.895 x Width 1.994 x Depth 0.15 metre(s)
Luminance: 50 cd/m2 – static

2 x internally illuminated landrover logo type signs ‘e’ and ‘g’
Height: 1.104 x Width 1.908 x Depth 0.25 metre(s)
Luminance: 50 cd/m2 – static

1 x internally illuminated retailer letter signs ‘h’
Height: 0.37 x Width 2.625 x Depth 0.068 metre(s)
Luminance: 150 cd/m2 – static

1 x internally illuminated drive-in service letters sign 'j'
Height: 0.3 x Width 3.75 x Depth 0.068 metre(s)
Luminance: 150 cd/m2 – static

1 x non illuminated welcome sign 'k’
Height: 2 x Width 1 x Depth 0.126 metre(s)

1 x non illuminated direction sign 'l’
Height: 2 x Width 1 x Depth 0.126 metre(s)

2 x non illuminated customer promise signs 'm’ and ‘n’
Height: 2 x Width 1 x Depth 0.126 metre(s)

2 x non illuminated free standing direction sign 'p’

Height: 1.2 x Width 0.6 x Depth 0.126 metre(s)

2 x non illuminated free standing direction single sided sign 'q'
Height: 1.5 x Width 1 x Depth 0.8 metre(s)

5 x non illuminated free standing direction double sided sign 'r'
Height: 1.5 x Width 1 x Depth 0.8 metre(s)

The materials of the signage is mostly aluminium and vinyl with silver and green being the predominant colours.

It would appear some of the larger internally illuminated fascia signs on the building were granted permission under 2018/92270.

History of negotiations/amendments received

None.

Relevant Planning History

2018/92270 Erection of illuminated and non-illuminated signs was granted permission.

2018/90074 Erection of motor vehicle dealership comprising car showrooms, workshops and MOT, ancillary offices, car parking and display, new vehicular access and egress to A643 and landscaping
Section 106 Full Permission

Discharge of Condition applications have also been submitted regarding the traffic management plan with split decision issued. A further Discharge of Condition application is under consideration.

Other site history relates to the following application number and description and subsequent applications to discharge conditions:

2014/93136 Demolition of existing buildings, outline application for Industrial Development (Class B1c Be or B8) Plot A – (160,000sq ft./14,864 sqm) with engineering works to form development plateaux, formation of access from Lindley Moor Road, provision of services and drainage infrastructure. Erection of industrial unit. Plot B – (50,000sqft/4648 sqm) unit access from Crosland Road. Detailed application (Plot C) for residential development of 252 dwellings with access from Crosland Road, engineering works to create underground drainage attenuation, provision of open space and landscaping.

Section 106 Full Permission

Numerous Discharge of Condition applications and Non-Material Amendment applications have been submitted and determined in relation to the following application:

2016/90613 Reserved matters application for erection of industrial unit on plot A (Plot A1) comprising 6039 sqm for B2 and B8 uses together with 85 parking spaces, service yard and landscaping pursuant to planning permission 2014/93136 for demolition of existing buildings, outline application for industrial development (Class B1c B2 or B8) plot A - 14,864 sqm with engineering works to form development plateaux, formation of access from Lindley Moor Road, provision of services and drainage infrastructure. Erection of industrial unit. Plot B - 4648 sqm unit access from Crosland Road, detailed application (Plot C) for residential development of 252 dwellings with access from Crosland Road, engineering works to create underground drainage attenuation, provision of open space and landscaping Approval of Reserved Matters

Representations

No publicity required

Consultations

KC Bats formal consultation: 'The bat roost previously recorded within the site was removed as part of an earlier application. The present proposals are unlikely to result in significant ecological harm and I have no objections.'

KC Highways DM were consulted formally: No response given. Informally the Highways Officer stated they had no issue.

KC Environmental Health formal consultation: 'Before development commences a scheme which indicates the measures to be taken for the control of any glare or stray light arising from the operation of artificial lighting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the artificial lighting shall be operated in accordance with the approved scheme.

The scheme should include the following information:

1. The proposed design level of maintained average horizontal illuminance for the site.
2. The predicted vertical illuminance that will be caused by lighting when measured at windows of any properties in the vicinity.
3. The proposals to minimise or eliminate glare from the use of the lighting installation
4. The proposed hours of operation of the lighting'

In light that the larger illuminated signs already had permission, Environmental Health were consulted again informally and then deemed the scheme acceptable subject to a condition restricting the time and levels of illumination. Environmental Health stated:

'I would suggest the following condition

The luminance at the brightest part of any of the illuminated advertisements hereby permitted shall not exceed 200cd/m2 at any time, and the illumination shall be static, not intermittent of flashing.

I would also suggest that there is a restriction on the times of use on sustainability grounds, not being appropriate to have them illuminated when there is virtually nobody about to see them.'.

To appease with environmental Health, two conditions shall be inserted on this permission to restrict time and levels of illumination. This has already been agreed with the agent.

Policy

Policy 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 Development Plan for Kirklees is the Local Plan adopted February 2019.

The application site is allocated as Mixed Use on the Kirklees Local Plan

Kirklees Local Plan (as modified):

PLP 1 – Achieving sustainable development
PLP 2 – Place shaping
PLP 24 – Design
PLP 25 – Advertisements and shop fronts

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published February 2019, 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 12 – Achieving well-designed places

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 132 of the NPPF considers that the quality and character of places can suffer when advertisements are poorly sited and designed. However, advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts. Policy PLP25 of the local plan sets out that the display of advertisements will only be permitted if they satisfy the following criteria:

a. The design is consistent with the character of the existing building in terms of scale, quality and use of materials;

b. Proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest. In this instance, the proposed signage, due to its position, design and scale would not result in any detriment to amenity or public safety.

The proposed signs would not have any notable impact on residential amenity of dwellings due to their position away of residential dwelling and their static nature mitigates any harm.

The signs as a whole offer cohesion with matching materials, colours and themes. This offers unity across the site and given the very large scale of the application site, the quantity of signage is an acceptable level.

Considering the revised consultation response from environmental health, the static illuminance levels is also deemed acceptable for the application site subject to a constriction restricting the time of lamination and the maximum level of illuminance.

As such, the proposed advertisements are considered to comply with paragraph 132 of the NPPF, Policies PLP24 and PLP25 of the local plan in terms of achieving good design and well-designed places.

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: 2019/90812

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions and:

6. The luminance at the brightest part of any of the illuminated advertisements hereby permitted shall not exceed 200cd/m2 at any time, and the illumination shall be static, not intermittent of flashing.
Reason: To preserve the residential amenity of the area and to constitute good design, as to accord with PLP24 and PLP25 of the Kirklees Local Plan (as modified).

7. The illuminated signs should not be illuminated between 00:00 and 06:00 on any day of the week.
Reason: In order to preserve the residential amenity and for the purpose of sustainable development and as to accord with PLP1, PLP2 and PLP24 of the Kirklees Local Plan (as modified).

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	127759LP1A RYBROOK Location Plan	1	13/03/19
Block plan	127759BP1A RYBROOK Block Plan	1	13/03/19
Grouped Plans and Elevations	APL-D5_Dual-Brand-Pylon SIGN A	1	14/05/19
Grouped Plans and Elevations	JW6_Jaguar-Facade Sign SIGN B	1	14/05/19

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	LW6_Land-Rover-Facade Sign SIGN C	1	14/05/19
Grouped Plans and Elevations	AWS-D-1_Welcome-Sign SIGN K	1	14/05/19
Grouped Plans and Elevations	ATDF2100_Direction-Sign SIGN L	1	14/05/19
Grouped Plans and Elevations	NOVA0280D_Direction-Sign 2 SIGN R	1	14/05/19
Grouped Plans and Elevations	127759W1A RYBROOK Proposed Elevations	1	14/05/19
Grouped Plans and Elevations	127759W1A RYBROOK Proposed Elevations	1	14/05/19
Grouped Plans and Elevations	JV6N-Jaguar-Leaper-and-Letters SIGNS D F	1	14/05/19
Grouped Plans and Elevations	LV6N-Land-Rover-Logo SIGNS E G	1	14/05/19
Grouped Plans and Elevations	ADL-400_Retailer-Letters SIGN H	1	14/05/19
Grouped Plans and Elevations	AIL-300_Individual-Letters SIGN J	1	14/05/19
Grouped Plans and Elevations	AAS-J-1_Approved-Sign SIGN M	1	14/05/19
Grouped Plans and Elevations	AAS-L-1_Approved-Sign SIGN N	1	14/05/19
Grouped Plans and Elevations	NOVA0280_Direction-Sign 1 SIGN Q	1	14/05/19

Plan Type	Reference	Version	Date Received
Grouped Plans and Elevations	ATDF1200_Direction-Sign SIGN P	1	14/05/19

Report Dated: 15/05/19