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:	2019/64/93347/W
Site Address:	69, Market Street, Milnsbridge, Huddersfield, HD3 4HZ
Description:	Advertisement Consent for illuminated signs (within a Conservation Area)
Recommending Officer:	Alice Huxley

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.

Neil Bearcroft

AUTHORISED OFFICER

Date: 03-Dec-2019

Site Description

69, Market Street, Milnsbridge, Huddersfield.

The application relates to 69, Market Street, an Off License located in Milnsbridge. The site is currently in use by 'Milnsbridge News & Off License'.

The site is located in the Milnsbridge Conservation Area and is neighboured by other commercial and residential sites.

Description of Proposal

Advertisement consent for illuminated signs (within a Conservation Area).

The proposal is for integral illumination and the screen to the ATM fascia, internally illuminated Free Cash Withdrawals sign above the ATM and blue LED halo illumination. The height from the ground to the base would be 1.1 metres with dimensions of Height: 1.43 x Width: 0.698 x Depth: 0.04 metres.

The proposals will be made out of fibreglass and be statically illuminated at levels of 100 cd/m2.

The proposed sign will be advertising an ATM.

History of negotiations/amendments received

None.

Relevant Planning History

2019/93346 – Installation of an ATM – Allied application pending consideration

90/01357 – Erection of illuminated projecting sign – *refused*.

Representations

No publicity required.

Parish / Town Council comments included here:
Not applicable.

Consultations

K.C Environmental Health – The illuminated advertisements are acceptable from an environmental health prospective a condition and note is also suggested.

K.C Conservation and Design – It has been considered that the impact of the proposed development would cause minimal harm on the Milnsbridge Conservation Area as a result there are no concerns about the proposed development on heritage grounds.

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 statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is located within the Milnsbridge Conservation Area.

Kirklees Local Plan (LP):
LP 24 – Design
LP 25 – Advertisements and shop fronts
LP 35 – Historic Environment

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial 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**
- **Chapter 16 – Conserving and enhancing the historic environment**

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.

The site is located within the Milnsbridge Conservation Area. Paragraph 192 of the NPPF highlights, amongst other things, the desirability of new development making a positive contribution to local character and distinctiveness. Policy LP35 of the Local Plan sets out that development proposals affecting a designated heritage asset should conserve those

elements which contribute to its significance. Harm to such elements will be permitted only where this is outweighed by public benefits in the proposal.

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. As such, the cumulative impacts have been assessed and taking into account the other various forms of advertisements present in the street scene; it has been considered that the proposal would be of an appropriate scale and design. Additionally, the location of the proposal will highlight the use of the ATM simply yet effectively without dominating the whole site. Furthermore, it is considered that the proposal would cause less than substantial harm to the setting of the conservation area given that the proposal would be at an illumination level of 100 cd/m2 and incorporate colours to match that of the host building. Whilst Environmental Health have recommended an additional planning condition and a note it is not considered that such a condition is necessary in this instance given the commercial area that the sign is located in.

Policy LP25 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;
a. Proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest.

In this instance, the proposal due to its position, design and scale would not result in any detriment to amenity of public safety and Milnsbridge Conservation area. As such the proposed advertisements are considered to comply with paragraph 12 and 16 of the NPPF as well as policies LP24, LP25 and LP35 of the Kirklees Local Plan.

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: 2019/93347

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions

Plans and specifications schedule:-

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	25/07/2019
Pre-Existing Plan and Elevation	T019409_PE	-	25/07/2019
As Installed Plan and Elevation	T019409_AI	-	25/07/2019
Design and Access Statement	-	-	25/07/2019
Extra Security Information	-	-	26/11/2019

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 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. No additional information was necessary in respect to the advertisements and the decision on the application was based on the submitted plans.

Report Dated: 03/12/2019