

**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: 2020/64/90101/E

Site Address: McDonalds, Centre 27 Business Park, Birstall, Batley,
WF17 9TB

Description: Advertisement consent for erection of illuminated
signs

Recommending Officer: Jennifer Booth

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.**

Julia Steadman

AUTHORISED OFFICER

Date: 03-Mar-2020

OFFICER REPORT

Site Description

The application site is Mcdonalds, Birstall Shopping Park, Holden Ing Way, Birstall, Batley, WF17 9DT.

The site is a fast food restaurant with drive-thru which is located within the road network around Birstall Retail Park and is accessed from the A62 Geldard Road. The M62 is located to the rear of the site. The retail park contains predominantly A1 retail units in this location.

Description of Proposal

The submitted plans propose six illuminated signs. Five would be free-standing digital signs and one would be a digital booth screen.

Signs 1, 2, 5 & 6 would be set up 0.74m from the ground with a width of 1.6m, a height of 1.4m (total 2.2m) and a depth of 0.10m.

Sign 4 would be set up 0.74m from the ground with a width of 0.85m, a height of 1.4m (total 2.2m) and a depth of 0.10m.

These would be free-standing signs.

Sign 3 would be attached to the building, set up 1.03m from the ground level with a width of 0.3m, a height of 0.25m and a depth of 0.09m.

Full specifications have been included on the application form and is shown on the submitted drawings.

Relevant Planning History

2015/93700 – signage – granted

2015/93699 – extensions, internal and external alterations – granted

2016/91086 – discharge of conditions for 2015/93699 – granted

2014/91035 – reconfiguration of drive-thru – granted

2014/92401 – discharge of condition for 2014/91035 – granted

2014/92421 – non material amendment for 2014/91035 – granted

2014/91034 – illuminated and non-illuminated signage – granted

2011/92925 – illuminated signage – granted

2008/94004 – illuminated signage - granted

Representations

No publicity required

Consultations

None

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 without designation on Kirklees Local Plan.

Kirklees Local Plan (LP):

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 24 – Design
- LP25 – Advertisements and shop fronts

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

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 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 proposed signage, due to its position, design and scale would not result in any detriment to amenity or public safety. The existing building is an established fast food restaurant located within a retail park of some size and the wider area of the site is commercial in nature; therefore, in principle, advertisements are considered acceptable as a function of the use of the building and the surrounding area within the immediate vicinity.

The signage proposed is clearly related to the well-established fast-food outlet and would have the purpose of advertising the various food choices available to its customers. The signage would be unobtrusively positioned either within close proximity, or attached to, the existing building.

As such, the proposed advertisements are considered to comply with paragraph 132 of the NPPF, Policies LP24 and LP25 of the Local Plan in terms of promoting 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:** 2020/90101**Officer Recommendation:** Grant advertisement consent**Conditions and Reasons**

Standard 5 advert conditions

Plans and specifications schedule: -

Plan Type	Ref	Web ID	Date Rec
Location plan	01	789440	13/01/2020
Existing site plan	03	789447	13/01/2020
Proposed site plan	301a	789449	13/01/2020
Block plan	02	789450	13/01/2020
Proposed signage	1	789470	13/01/2020
Proposed signage	2	789471	13/01/2020
Proposed signage	3	789473	13/01/2020

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. In this instance, it was not considered necessary to seek amendments / further information during the course of the application.

Report Dated 02/03/2020