**Town and Country Planning Act 1990**

**Town and Country Planning (General Development Procedure) Order 1995**

**REFUSAL OF CONSENT TO DISPLAY ADVERTISEMENT(S)**

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**Application Number: 2020/64/91748/W**

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**To:** Sam Dewar,
DPA Planning Ltd
74, Church End
Cawood
Selby
YO83SN

**For:** Bee Outdoor

**In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The** Council**") as Local Planning Authority hereby refuses consent to:-**

ADVERTISEMENT CONSENT FOR ERECTION OF DIGITAL ADVERTISING SCREEN (WITHIN A CONSERVATION AREA)

**At:** ADJ, CASTLEGATE, HUDDERSFIELD

**In accordance with the plan(s) and applications submitted to the Council on 11-Jun-2020. The reasons for the Council's decision to refuse consent for the advertisement(s) to be displayed are:-**

1. The proposed advertising screen, owing to its position close to a signalled junction and pedestrian crossing points, would be liable to give rise to an unacceptable level of distraction to motorists negotiating the junction. It is therefore considered it would give rise to a material increase in public highway safety problems in a locality where the record of injury accidents is already a cause for concern. Allowing the application would therefore be contrary to the aims of National Planning Practice Guidance on Advertisements (updated 22nd July 2019), paragraph 132 of the National Planning Policy Framework, and Policy LP21(a) of the Kirklees Local Plan.

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Application form | | | 12-Jun-2020 |
| Location plan | BEE001 | A | 22-Jul-2020 |
| Site plan | BEE002 | A | 22-Jul-2020 |
| Proposed elevations | BEE003 | | 12-Jun-2020 |
| Map showing location in colour | | | 23-Jul-2020 |
| Covering letter | | | 12-Jun-2020 |
| Planning statement | | | 12-Jun-2020 |
| Highway safety report | 20585-001 | | 12-Jun-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. Planning officers concluded that the scheme was unacceptable for highway safety reasons and that the planning issues could not be overcome by the submission of design amendments or further details. Clarification was sought as to the proposed location of the screen. For the reason set out in the reason for refusal the development would not improve the environmental conditions of the area.

**Development within a Coal Mining Area**

**The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.**

**Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority**

**Appeals to the Secretary of State**

**If you are aggrieved by the decision of your Local Planning Authority to refuse this application, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.**

**All advertisement appeals have to be submitted to the Secretary of State within 8 weeks of the date of issue of the Local Planning Authority's decision against which you are appealing.**

**Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at https://www.gov.uk/planning-inspectorate. Further information on the Planning Appeal process can be found online at the Planning Inspectorate's website https://www.gov.uk/government/organisations/planning-inspectorate.**

**You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.**

**The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.**

**The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted advertisement consent or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.**

**An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.**

**Dated:** 10-Sep-2020

**Signed:** 

**Karl Battersby**
**Strategic Director Economy and Infrastructure**

**Application Plans**

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

http://www.kirklees.gov.uk/business/planning/planning.asp

If a paper copy of the decided plan is required please email:

dc.admin@kirklees.gov.uk

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

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Address to which all communications should be sent:

Planning, Strategic Investment Service,
PO Box B93, Civic Centre 3, Off Market Street, Huddersfield, HD1 2JR

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