# 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:** | 2021/64/90330/W |
| **Site Address:** | Perrys Motor Sales Ltd, Northgate, Huddersfield, HD1 6AP |
| **Description:** | Advertisement consent for erection of illuminated and non-illuminated signs |
| **Recommending Officer:** | Ellie Worth |

**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: 19-Mar-2021**

Officer report

Site description
The application relates to Perry's Motor Sales Ltd, which lies to the East of Northgate, the A641. The main building is currently constructed from stone plinths, glazing and grey UPVC cladding. The site is set within a wider commercial area and is situated on the outskirts of Huddersfield Town Centre.

The site is also unallocated on the Kirklees Local Plan.

**Description of development**
The proposal is for illuminated and non-illuminated signs. The details of the signs shall be set out below in accordance with the information submitted with the planning application.

Sign 1 – Citroen sign and logo (no.2 in specification)
- Height from the ground to the base of the advertisement: 3.5m
- Height: 0.9m
- Width: 4.5m
- Depth: 0.08m
- Materials: Acrylic
- Maximum height of any of the individual letters/symbols: 90cm
- The colour of the text and the background will be in accordance with the submitted application form
- Lumen level: 400cd/m2 (static and internally illuminated)

Sign 2 – Perry's logo (no.3 in specification)
- Height from the ground to the base of the advertisement: 3.7m
- Height: 0.23m
- Width: 1.07m
- Depth:0.08m
- Materials: Acrylic
- Maximum height of any of the individual letters/symbols: 24cm
- The colour of the text and the background will be in accordance with the submitted application form
- Lumen level: 400cd/m2 (static and internally illuminated)

Sign 3 Citroën tray sign (no. 4 in specification)
- Height from the ground to the base of the advertisement: 3.3m
- Height: 1m
- Width: 1m
- Depth:0.1m
- Materials: Aluminium
- Maximum height of any of the individual letters/symbols: 80cm
- The colour of the text and the background will be in accordance with the submitted application form
- Lumen level: 400cd/m2 (static and internally illuminated)

Sign 4 Citroën totem (no. 1 in the specification)
- Height from the ground to the base of the advertisement: 6.1m
- Height: 6.1m
- Width: 1.5m
- Depth: 0.24m
- Materials: aluminium, acrylic and perspex
- Maximum height of any of the individual letters/symbols: 80cm
- The colour of the text and the background will be in accordance with the submitted application form
- Lumen level: 400cd/m2 (static and internally illuminated)

Sign 5 Perry's brand flags (no.5 in specification)
- Height: 6m
- Width: 0.8m
- Depth:0m
- Maximum height of any of the individual letters/symbols: 200cm
- The colour of the text and the background will be in accordance with the submitted application form
- Lumen level: None

Sign 6 Service reception sign (no.6 in specification)
- Height: 0.3m
- Width: 3.8m
- Depth:0.08m
- Maximum height of any of the individual letters/symbols: 25cm
- The colour of the text and the background will be in accordance with the submitted application form.
- Lumen level: 400cd/m2 (static and internally illuminated)

**History of negotiations/amendments received**
No negotiations or amendments have been sought throughout the course of this application.

**Relevant Planning History**
Various planning and advertisement consents have been submitted and approved on the site.

**Consultations**
KC Environmental Health: No objections subject to a condition being attached to the decision notice regarding the operation of the illuminated signs.
KC Highway DM: Officers do not consider the replacement signs to cause any additional highway safety concerns.

**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 unallocated on the Kirklees Local Plan.

**Kirklees Local Plan**
- LP1 – Achieving sustainable development
- LP2 – Place shaping
- LP21 – Highway safety
- LP24 – Design
- LP25 – Advertisements and shop fronts
- LP52 – Protection and improvement of environmental quality

**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 Kirklees 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, size and design would not result in any significant detriment to amenity and public safety. Furthermore, KC Environmental Health have also raised no objection to the scheme, as the signs would be less than 10m2 and would have a proposed static luminance of 400cd/m2.

As such, the proposed advertisements are considered to comply with paragraph 132 of the NPPF, as well as Policies LP24 and LP25 of the Local Plan in terms of achieving good design, well-designed places and a good level of residential amenity.

In regard to highway safety, the application has been considered acceptable, as it is unlikely to impact upon the operation or efficiency of the local highway network nor would it have an undue impact on highway safety given the site's location in a commercial centre setting and the fact that the majority of the signs proposed will be replacements.
Furthermore, KC Highway DM have acknowledged that there will be a new sign, marker 01 on drawing no. CI002_002 Rev A, however, this would be set back from the edge of the highway sufficiently as to have no impact on visibility. The exit from the site is also adjacent to the new totem sign, however the road at this point, is one way and so the visibility of vehicles exiting the site will not be obscured. The brand flags to the east of this new totem will also be set sufficiently high as to have no impact on visibility.

For these reasons, the application is considered acceptable on highways grounds, in accordance with Policy LP21 of the KLP.

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:** 2021/90330
**Officer Recommendation:** Grant advertisement consent

**Conditions and Reasons**
Standard 5 advert conditions

6.The illuminated advertisement herby permitted shall:
• be installed and maintained thereafter in accordance with the approved plans
• have a luminance not exceeding 400cd/m2 at any part of the illuminated area.
• have light sources that are not be directly visible from any usual viewing angle, in particular by drivers of vehicles on highways or pedestrians or from nearby premises.
• have illumination that is not flashing, intermittent or changing
• have the illumination turned off if any of the above requirements are not being met.
**Reason**: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with Policy LP52 of the Kirklees Local Plan and Chapters 2 and 15 of the National Planning Policy Framework.

Plans and specifications schedule:

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Location plan | - | - | 5th February 2021 |
| Site plan | C1002_011 001 | A | 5th February 2021 |
| Proposed elevations, floor plans and signage specifications | PSA251120-SM01 | - | 5th February 2021 |

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, the application has been considered acceptable in its submitted form and therefore no amendments have been sought.

Report Dated: 18th March 2021