

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: 2021/64/91209/E

Site Address: Former Pizza Hut Restaurant, Centre 27 Business
Park, Bankwood Way, Birstall, Batley, WF17 9TB

Description: Advertisement Consent for new and replacement
signage

Recommending Officer: Olivia Roberts

DECISION – ADVERTISEMENT CONSENT GRANTED

**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.**

Paul Dowd

AUTHORISED OFFICER

Date: 11-Jun-2021

Officer Report

Site Description

The application relates to the former Pizza Hut Restaurant, which is located within the Centre 27 Business Park at Birstall, Batley. The site comprises a detached, single storey purpose-built building, which is constructed from brick for the walls with cladding for the roof. The building is positioned towards the east of the site, with a car park to the west. There is a waste storage area to the north of the building, which is currently accessed to its eastern elevation. The site includes landscaping to its perimeter.

The site is located within the Centre 27 Business Park, surrounded by commercial uses. Gelderd Road runs to the north-west of the site, though it is noted that access is taken from within the business park to the south of the application building.

Description of Proposal

The application seeks advertisement consent for the erection of illuminated and non-illuminated signs. A summary of each sign is as below:

Sign S1 and S2 – Internally illuminated fascia sign comprising the Tim Horton's Logo. S1 measuring H x 5315mm in W x 100mm D. S2 measuring 1375mm in H x 6640mm W x 100mm D. The signs would comprise red aluminium lettering.

Sign S3 – Internally illuminated 'DRIVE THRU' lettering fascia sign. Measuring 860mm H x 1310mm W x 100mm D. Red opal acrylic letters.

Sign 4 – Internally illuminated Tim Horton's Canadian Leaf. Measuring 1840mm in H x 1900mm in W x 100mm in D. Aluminium tray sign finished in red with white lettering.

Sign S5 and S6 – Internally illuminated 'DRIVE THRU' lettering fascia sign. Sign S5 measuring 285mm H x 2160mm W x 100mm D. Sign S6 measuring 355mm H x 2700 W x 100mm D. White opal acrylic letters.

Sign DTS 1A – Internally illuminated mental totem post sign with aluminium trip and acrylic lettering with a total height of 9m. The double-sided sign itself would measure 3225mm H x 2860mm W x 500mm D.

Sign DTS 3A – Two illuminated push-through white acrylic signs to be displayed on height limiter. Tim Hortons Logo and letters reading ‘Max Height 3.6m’.

Sign DTS 4 – Double sided, internally illuminated rotating leader board to display graphic poster. The board itself would measure 1682mm H x 1189mm H x 90mm D. To be displayed in a red powder-coated aluminium frame measuring 1722mm H x 1229mm W x 200mm D.

Sign DTS 5 – Internally illuminated white push-through lettering comprising the Tim Hortons logo and ‘Order and Pay Here’ lettering to be displayed on order point measuring 1600mm H x 450mm W x 180mm D with attached advertisement panel.

Sign DTS 6 – Internally illuminated menu board measuring 2110mm H x 2100mm W x 200mm D. Red power-coated aluminium with Tim Hortons logo and 3 individual digital display screens.

Sign DTS 7 – Double sided, internally illuminated billboard sign measuring 1745mm H x 5845mm W x 150mm D. Red powder-coated aluminium with double sided banner mounted onto manual roller mechanism to allow change over between two adverts.

Sign DTS 8 – Internally illuminated way finder sign measuring 1500mm H x 700mm W x 200mm D. Red power-coated aluminium with white push-through letter to comprise Tim Hortons logo to the front and back, ‘parking’ lettering and arrow.

The location and quantity of each sign is demonstrated on the submitted plans.

History of negotiations/amendments received

No amendments were sought or received during consideration of the application.

Relevant Planning History

2015/92274 – Advertisement consent for 10 no. illuminated signs and 8 no. non-illuminated signs. Granted.

90/07042 – Erection of internally illuminated roof mounted lettering, internally illuminated freestanding pole sign, roof floodlighting and window graphics. Granted.

There have been several other applications for advertisement consent within the Centre 27 Retail Park.

Representations

No publicity is required for applications regarding signs and advertisements, and as such, no representations have been received.

Parish/Town Council comments: not applicable.

Consultation Responses

KC Highways Development Management – No objections.

KC Environmental Health – No objections.

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be 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 proposals map.

Kirklees Local Plan:

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 24 – Design
- LP 25 – 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
- Chapter 15 – Conserving and enhancing the natural 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.

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 (KLP) 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.

The application site is located within the Centre 27 Business Park, which comprises commercial uses. It is noted that there is a range of existing signage within the surrounding area and associated with the neighbouring units, which vary in terms of their scale and design. The pallet of materials is considered appropriate for the proposed signage and the colour scheme would reflect that of the business, which would occupy the unit. The scale and design of the signage, whilst large, is considered in keeping with the overall appearance and scale of the site as well as its commercial setting. The signage proposed for the face of the building would replace existing signage for the previous business. A totem and billboard sign would replace existing signage in the same location, albeit at a slightly larger scale.

It is considered that the proposed signage, due to its location, design and scale, would not result in any detriment to amenity or public safety. The Council's Environmental Health officer has been consulted during consideration of the application and raised no objections to the proposal. As some of the proposed signage would be located internally within the site and close to the adjacent highways, The Council's Highways DM team was consulted during consideration of the application. It is noted that the totem

and billboard signs would replace existing signage, and whilst they would be of a larger scale, the impact on public safety is considered acceptable. The Highways DM officer reviewed the proposed new signage and raised no objections to the proposed development.

As such, the proposed advertisements are considered to comply with paragraph 132 of the NPPF and Policies LP24 and LP25 of the KLP in terms of achieving good design and well-designed places.

Recommendation: **Grant Advertisement Consent**

Decision Authorisation - Delegated Powers

Application Number: 2021/91209

Officer Recommendation: Grant Advertisement Consent

Conditions and Reasons

Standard 5 advert conditions

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Totem Sign	7330 (ADV) DTS-1A	-	23/03/2021
Height Limiter	7330 (ADV) DTS-3A	-	23/03/2021
Leader Board	7330 (ADV) DTS-4	-	23/03/2021
Order Point	7330 (ADV) DTS-5	-	23/03/2021
Menu Board	7330 (ADV) DTS-6		23/03/2021
Billboard	7330 (ADV) DTS-7	A	23/03/2021
Way finders	7330 (ADV) DTS-9		23/03/2021
Proposed Elevations	7330-PS-01.7	-	23/03/2021
Proposed Site Plan	7330 (ADV) DTS-0.2	-	23/03/2021
Signage Suite	7330 (ADV) DTS-0.3	A	23/03/2021

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 Authority has, 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 amended plans were sought or received during consideration of the application.

Report Dated:

11/06/2021