

**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: 2021/64/93033/E

Site Address: Unit 9 To 10, Birstall Shopping Park, Holden Ing Way,
Birstall, Batley, WF17 9DT

Description: Advertisement Consent for erection of illuminated sign

Recommending Officer: Nina Sayers

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: 21-Sep-2021

Site Description

Unit 9-10, Birstall Shopping Park is a retail unit in Birstall, Batley. It is currently occupied by DFS. The property is a semi-detached large retail unit surrounded by other retail units of a similar design, age and size.

It is noted that this is a retrospective application and the proposed signs have already been erected.

Description of Proposal

The applicant is seeking advertisement consent for the erection of illuminated signs.

Item 1 and 2 – The replacement illuminated sign would measure 7.4(w) x 3.7(h) x 0.15(d) metres, comprising a white background with the 'DFS' logo and slogan in purple text. The would be located on the front of the property and would be 5.2 metres off the ground. It would be internally illuminated at 300cd/m² and the illumination would be static.

Item 3 – The replacement illuminated sign would measure 8.4(w) x 2.3(h) x 0.015(d) metres, comprising a white background with the 'DFS' logo and slogan in purple text. The would be located on the rear of the property and would be 3.4 metres off the ground. It would be internally illuminated at 300cd/m² and the illumination would be static.

History of negotiations/amendments received

No amendments were requested for this application.

Relevant Planning History

Various applications for advertisement consent granted previously.

Representations

No publicity required.

No representations received.

Consultations

Kirklees Council's conservation officer was consulted regarding this application site being located within Batley Marketplace Conservation Area. Overall, they supported the proposal as it is considered an improvement on the existing.

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 designated within the Batley Marketplace Conservation Area on the proposals map of the Local Plan.

Kirklees Local Plan:

LP1 – Achieving sustainable development

LP2 – Place shaping

LP24 – 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 20th July 2021, 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 136 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.

The application site is located within a relatively modern purpose-built shopping area. It is noted that the site is surrounded by other commercial units which all have advertisements of a similar design and size to the existing. As a result, it is considered this proposal would be in keeping with the character of the area and would not result in any detriment to visual amenity or public safety. The signage would preserve the character and appearance of the surrounding area.

The signage proposed is clearly relating to the building's use. The signage would be unobtrusively positioned close to, or attached to, the existing

building and would be similar in scale and positioning to existing signage in the surrounding area.

As such, the proposed advertisements are considered to comply with the aims of the NPPF and policies LP24 and LP25 of the Kirklees Local Plan in terms of achieving 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 advertisements would constitute sustainable development and are therefore recommended for approval.

Recommendation

Grant advertisement consent

Decision Authorisation - Delegated Powers**Application Number:****Officer Recommendation:** Grant advertisement consent**Conditions and Reasons**

Standard 5 advert conditions

Plans and specifications schedule:

Plan Type	Reference	Version	Date Received
Location and block plan	01		30/07/2021
Existing and proposed elevations	02		30/07/2021

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 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.

Report Dated:

17/09/2021