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:	**2022/64/90427/W**
Site Address:	Revolution De Cuba, 30-36, Cross Church Street, Huddersfield, HD1 2PT
Description:	Advertisement consent for halo internally illuminated fascia sign, one externally illuminated hanging sign, and four illuminated poster signs to existing windows [within a Conservation Area]
Recommending Officer:	Lucy Taylor

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.

Kevin Walton

AUTHORISED OFFICER

Date: 05-May-2022

Officer Report.

Reference: 2022/90427

Location: Revolution De Cuba, 30-36, Cross Church Street, Huddersfield, HD1 2PT

Proposal: Advertisement consent for halo illuminated fascia sign, one externally illuminated hanging sign, and four illuminated poster signs to existing windows.

Site Description.

30-36 Cross Church Street is a three-storey building located in Huddersfield Town Centre. The building in its entirety functions under the classification of 'public house/bar/nightclub', now operating as Carousel. At present, the building has an active frontage with non-illuminated signage erected in the arched inset doorway and picture posters in the windows.

The site is located within the Huddersfield Town Centre Conservation Area. The building itself is not Listed, but several Grade II Listed Buildings are located adjacent and further north of the site.

Description of Development.

The proposal is for advertisement consent for a halo internally illuminated fascia sign, one externally illuminated hanging sign and four illuminated poster signs to existing windows.

Sign A (fascia)

- Height from the ground to the base of the advertisement: 2.7m
- Height: 0.36m
- Width: 2.128m
- Depth: 0.1m
- Materials: power coated aluminium backing tray, aluminium power coated letters with brass face on red perspex
- Maximum height of any of the individual letters/symbols: 24.4cm
- Brass text with red halo on green background
- Lumen level: 375 cd/m2 (external halo illumination) (static)

Sign B (hanging sign)

- Height from the ground to the base of the advertisement: 2.65m
- Height: 0.975m
- Width: 0.81m

- Depth: 0.075m
- Materials: power coated mild steel and printed aluminium
- Maximum height of any of the individual letters/symbols: 50cm
- Burgundy red text on cream background
- Lumen level: 375 cd/m2 (externally illuminated) (static)

Sign C (posters x4)

- Height from the ground to the base of the advertisement: 1.2m
- Height: 1.042m
- Width: 0.795m
- Depth: 0.155m
- Materials: painted timber framing, perspex, steel posts and clamps, printed paper
- Maximum height of any of the individual letters/symbols: N/A
- Tan and gold on cream background
- Lumen level: 160 cd/m2 (externally illuminated) (static)

History of negotiations/amendments received.

Following a consultation with KC Conservation and Design, amendments were sought to:

- change the originally proposed internally illuminated fascia sign to a simple external illuminated sign
- replace the originally proposed intermittent poster lighting with static.

Following the submission of amended plans, KC Conservation and Design were reconsulted and confirmed that halo illuminated solid letters were acceptable for the fascia sign, as was the static lighting to the internal window displays.

Therefore, the determination of this application is based on the latest amendments as submitted 29 April 2022.

Relevant Planning History.

- **2008/92490** – Formation of new external doorway and fire escape staircase and alterations. *Approved 2008.*
- **2016/92772** – Reconfiguration and alterations to existing public house unit. *Approved 2017.*
- **2018/93931** – Advertisement Consent for erection of illuminated and non-illuminated signs. *Approved 2019.*

Consultation Responses.

KC Conservation and Design – consider the application to be acceptable following the submission of amended plans, removing the originally proposed inappropriate intermittent and external illuminations.

KC Highways Development Management – consider the application to be acceptable on highways grounds.

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 Development Plan for Kirklees is the Local Plan adopted February 2019.

The application site is situated within the Huddersfield Town Centre Conservation Area.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety
- LP24 – Design
- LP25 – Advertisement and shop fronts
- LP35 – Historic Environment
- 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 20th July 2021, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- **Chapter 2** – Achieving Sustainable Development
- **Chapter 12** – Achieving Well-Designed Places
- **Chapter 14** – Meeting the Challenges of Climate Change, Coastal Change and Flooding
- **Chapter 16** – Conserving and Enhancing the Historic 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 LP52 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.

In this case, the proposed signage would not result in significant detriment to amenity and public safety, given the size/scale of the proposed signs and their lighting strategies. In addition, due to the location of the building within a town centre, the signs will harmonise with the existing wider setting and will not be overtly prominent within the streetscene. Harmonisation is further emphasised given the location of the site within a prevalent area of the night time economy within Huddersfield Town Centre.
KC Conservation and Design have been formally consulted as part of this application. In this instance, officers noted that the proposed signage would not harm the historic fabric of the Huddersfield Town Centre Conservation Area, or the Grade II Listed Buildings located in close proximity. In addition, the proposed signage is considered to positively contribute to creating a visually appealing active frontage in conjunction with the opening of a new business in Huddersfield Town Centre, Carousel. For these reasons the proposed advertisements are considered to comply with Chapters 12 and 16 of the NPPF, as well as Policies LP24, LP25 and LP35, in terms of achieving good design and well-designed places.

With regard to residential amenity, given that the application site in its entirety functions as a 'public house/bar/nightclub', and that none of the buildings directly neighbouring or adjacent have any residential classifications, it is concluded that the proposed signage poses no detriment to residential amenity. Therefore, the scheme appropriately accords with Chapter 12 of the NPPF and LP24 of the Kirklees Local Plan.

With regards to highway safety, the application has been considered acceptable. KC Highways Development Management concluded any potential impact of additional distraction to drivers to be minimal, and the proposed advertisements would be unlikely to impact upon the operation or efficiency of the local highway network. Furthermore, the signage would be very similar to that previously erected to the host building and to that currently erected to existing buildings within the immediate vicinity. In turn, it is concluded that the proposals are acceptable from a highway's safety perspective, appropriately complying with the requirements of LP21 of the Kirklees Local Plan.

The applicant proposed the luminance levels of 375 cd/m2 for the fascia and hanging sign with 160 cd/m2 for the internally poster signs. The Institute of Lighting Professionals PLG05 recommends for town centre locations (table 3 E4), advertisements up to 10m2 in area should be no brighter than 600 cd/m2. The proposed illuminance levels in this case should not therefore impact negatively on the area to the degree that light pollution would be considered excessive. As such the proposed lighting is in accordance with policy LP52.

To conclude, this application has been assessed against relevant policies in the development plan and other material considerations. It is considered that

the display of the advertisements would sustainable and is therefore recommended for approval.

Recommendation: Grant Advertisement Consent

Decision Authorisation - Delegated Powers
Application Number: 2022/90427
Officer Recommendation: Grant Advertisement Consent

Conditions and Reasons

1) Before any advertisement is displayed on land pursuant to this consent, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.

2) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

3) Any hoarding or similar structure, or any sign, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.

4) Where any advertisement is required under the above-mentioned regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.

5) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

6) Notwithstanding the submitted plans, the illuminated advertisements hereby permitted shall: -

- Have a luminance not exceeding 600 cd/m2 at any part of the illuminated area.

- Have light sources that are not 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.

The reason in each case for imposing the numbered conditions above are:

1/5) Conditions imposed by the above-mentioned regulations.

6) In the interest of visual and residential amenity and highway safety in order to avoid disturbance from light pollution and to accord with Policies LP21, LP24, LP35 and LP52 of the Kirklees Local Plan and the aims of Chapters 12 and Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	**Reference**	**Version**	**Date Received**
Existing Elevations	CH-D010-REV F	-	19.4.22
Location Plan	CH-D014	-	8.2.22
Proposed Elevations	CH-D012	-	19.4.22
Proposed Advertisement Details	CH-D013-REV C	-	29.4.22

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 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. Amended plans were sought and submitted to alter the proposed lighting strategies for the fascia sign and window posters, this was for reasons of conservation and design.

Report Dated: 4.5.22