

The Planning Inspectorate

QUESTIONNAIRE ADVERTISEMENT CONSENT OR DISCONTINUANCE NOTICE APPEAL (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter.

Appeal Reference

APP/Z4718/Z/22/3307185

Appeal By

VIVID OUTDOOR MEDIA SOLUTIONS (A) LTD

Site Address

Shak Snootys
122 Lockwood Road
HUDDERSFIELD
HD1 3QX

PART 1

- i) Refusal of consent for the display of the advertisement(s) ☒
- ii) Grant of consent for the display of the advertisement(s) ☐
- iii) Failure of the LPA to give notice of its decision within the appropriate period of an application for consent ☐
- iv) Service of a Discontinuance Notice ☐

Warning: The written representations procedure is an expedited procedure for appeals against refusal of consent for the display of advertisements.

- 1.b. Do you agree that the written representations procedure is appropriate for this appeal? Please note there must be exceptional reasons for us to agree to a procedure other than the written representations procedure. If your answer is no, please give your reasons below.
- | | | | |
|-----|-------------------------------------|----|--------------------------|
| Yes | ☒ | No | ☐ |
|-----|-------------------------------------|----|--------------------------|
- 2.a. Can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land?
- | | | | |
|-----|-------------------------------------|----|--------------------------|
| Yes | ☒ | No | ☐ |
|-----|-------------------------------------|----|--------------------------|
- 2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal?
- | | | | |
|-----|--------------------------|----|-------------------------------------|
| Yes | ☐ | No | ☒ |
|-----|--------------------------|----|-------------------------------------|
- 2.c. Are there any known health and safety issues that would affect the conduct of the site inspection?
- | | | | |
|-----|--------------------------|----|-------------------------------------|
| Yes | ☐ | No | ☒ |
|-----|--------------------------|----|-------------------------------------|
3. Did you notify people about the application?
- | | | | |
|-----|--------------------------|----|-------------------------------------|
| Yes | ☐ | No | ☒ |
|-----|--------------------------|----|-------------------------------------|

PART 2

4. Is one of your grounds for refusal 'Public Safety' involving highway or traffic considerations?
- | | | | |
|-----|--------------------------|----|-------------------------------------|
| Yes | ☐ | No | ☒ |
|-----|--------------------------|----|-------------------------------------|
- 5.a. Have you notified anyone about the appeal?
- | | | | |
|-----|--------------------------|----|-------------------------------------|
| Yes | ☐ | No | ☒ |
|-----|--------------------------|----|-------------------------------------|
- 6.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State?
- | | | | |
|-----|--------------------------|----|-------------------------------------|
| Yes | ☐ | No | ☒ |
|-----|--------------------------|----|-------------------------------------|

6.b. Are there any other appeals or matters adjacent or close to the site still to be considered by us or the Secretary of State? Yes ☐ No ☒

PART 3

7.a. Is the site in a Conservation Area? Yes ☐ No ☒

7.b. Is the site adjacent to a Conservation Area? Yes ☐ No ☒

8. Is the site in an Area of Special Control of Advertisements? Yes ☐ No ☒

9. Is the appeal site within:

a. A Green Belt? Yes ☐ No ☒

b. An Area of Outstanding Natural Beauty? Yes ☐ No ☒

10.a. Is the appeal site in or adjacent to, or likely to affect, an SSSI and/or an internationally designated site (i.e cSAC, SAC, pSPA, SPA, Ramsar)? Yes ☐ No ☒

10.b. Are any protected species likely to be affected by the proposals? Yes ☐ No ☒

11.a. Would the proposed advertisement affect the setting of a listed building? Yes ☒ No ☐

Please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest

☒ see 'Questionnaire Documents' section

11.b. Was Historic England consulted? Yes ☐ No ☒

12.a. Would the proposed advertisement affect an Ancient Monument (whether scheduled or not)? Yes ☐ No ☒

13. Do you consider that any condition other than the five standard conditions set out in Schedule 2 of the 2007 Regulations should be imposed in the event that express consent as applied for is granted? Yes ☒ No ☐

Please provide full detail of your suggested condition(s) and the reason why you regard the condition(s) to be necessary.

1. There shall be no moving images or special effects (including noise, smell, smoke, animation, flashing, scrolling, three-dimensional, intermittent or video elements) or any images that resemble road signs or traffic signals of any kind during the time that any message is displayed.
Reason: In the interests of highway safety and to accord with LP21 of the Kirklees Local Plan and paragraph 136 of the National Planning Policy Framework.

2. The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction).
Reason: In the interests of highway safety and to accord with LP21 of the Kirklees Local Plan and paragraph 136 of the National Planning Policy Framework.

3. The display shall not change more than once every 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features or equipment which would allow interactive messages or advertisements to be displayed.
Reason: In the interests of highway safety and to accord with LP21 of the Kirklees Local Plan and paragraph 136 of the National Planning Policy Framework.

4. The screen display shall be erected with a mechanism installed in order that, if the installation breaks down, it defaults to a blank black screen in order to avoid any flashing error messages or pixilation.

Reason: In the interests of visual amenity and highway safety and to accord with policies LP21, LP24 and LP25 of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.

5. The screen display panel shall at all times be fitted with a light sensor to adjust the brightness to changes in ambient light levels.

Reason: In the interests of visual amenity and highway safety and to accord with policies LP21, LP24 and LP25 of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.

6. At no time shall the Luminance level of the signs exceed the thresholds contained within the Institute of Lighting Professionals (ILP) guidance document PLG05 – The Brightness of Illuminated Advertisements 2015 as amended or superseded, for the lifetime of the development.

Reason: In the interests of visual amenity and highway safety and to accord with policies LP21, LP24 and LP25 of the Kirklees Local Plan and Policies within Chapter 12 of the National Planning Policy Framework.

7. 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).

Reason: In the interests of highway safety and to accord with LP21 of the Kirklees Local Plan and paragraph 136 of the National Planning Policy Framework.

PART 4

Copies of the following must be attached to this form:

15.a. If the appellant has submitted photographs and a plan with their appeal documents please confirm you are content these are a complete and accurate representation. Yes ☒ No ☐

Copies of the following documents must, if appropriate, be attached to this form:

16.a. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes; ☒

☒ see 'Questionnaire Documents' section

16.b. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan). You must include the front page, the title and date of approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination; ☒

List of policies:

LP1, LP2, LP21, LP24, LP25, LP27, LP30, LP35

☒ see 'Questionnaire Documents' section

☒ see 'Questionnaire Documents' section

16.c. extracts of any relevant policies which have been 'saved' by way of a Direction. ☐

16.d. Extracts from any supplementary document that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached. ☐

16.e. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the ☐

DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

16.f. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued; ☐

16.g. your Authority's CIL charging schedule is being/has been examined; ☐

16.h. your Authority's CIL charging schedule has been/is likely to be adopted. ☐

16.i. Any other relevant information or correspondence you consider we should know about; ☐

16.j. A true copy of the Discontinuance Notice. ☐

17. If this appeal is not following the written representations expedited procedure do you intend to send a further statement about this appeal? ☐

18. Do you wish to attach your statement of case? ☐

LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today. ☒

LPA's reference

2022/92224

Completed by

Katie Chew

On behalf of

Kirklees Metropolitan Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Katie Chew

Phone no (including dialling code)

01484 221000

Email

katie.chew@kirklees.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/Z4718/Z/22/3307185

Appeal By VIVID OUTDOOR MEDIA SOLUTIONS (A) LTD

Site Address Shak Snootys
122 Lockwood Road
HUDDERSFIELD
HD1 3QX

The documents listed below were uploaded with this questionnaire form:

Relates to Section: PART 3
Document Description: 11.a. Listing description.
File name: Historic England Listing Description of no.docx

Relates to Section: PART 4
Document Description: 15.a. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.
File name: OR.pdf

Relates to Section: PART 4
Document Description: 16.b. Extracts from any relevant statutory development plan policies.
File name: KLP cover sheet and introduction.pdf

Relates to Section: PART 4
Document Description: 16.b. Extracts from any relevant statutory development plan policies.
File name: Policy LP35.docx
File name: Policy LP30.docx
File name: Policy LP1.docx
File name: Policy LP21.docx
File name: Policy LP24.docx
File name: Policy LP2.docx
File name: Policy LP25.docx
File name: Policy LP27.docx

The documents listed below were already attached elsewhere with this questionnaire form:

Completed by Not Set

Date 24/10/2022 07:43:56

LPA Kirklees Metropolitan Council