

**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:	2023/64/91571/E
Site Address:	Unit M, Junction 27 Retail Park, Holden Ing Way, Birstall, Batley, WF17 9AD
Description:	Advertisement Consent for erection of illuminated signs
Recommending Officer:	Nicole Helliwell

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.**

Emma Thompson

AUTHORISED OFFICER

Date: 19-Jul-2023

Officer Report

Reference No. 2023/64/91571/E

Site Address: Unit M, Junction 27 Retail Park, Holden Ing Way, Birstall, Batley, WF17 9AD

Proposal: Advertisement Consent for erection of illuminated signs

Site Description

The application relates to Pizza Express, located at Junction 27 Retail Park in Birstall, Batley. The surrounding area is of mixed use and comprises industrial and commercial properties of varying materials and architectural styles. The site is not within a conservation area, nor are there any listed buildings or PROW within close proximity.

Description of Proposal

The application seeks advertisement consent for the installation of illuminated signs. The details of the proposed signage are as follows:

Fascia Sign 1 (Pizza Express Letters, Front Elevation)

Height from the ground to the base of the advertisement: 3.193m

Dimensions of the proposed advertisement: Height 0.4m x Width 4.832m x Depth 0.034m

Maximum Height of any of the individual letters and symbols: 40cm

Colour of text and background: Satin black background with black and gold text

Materials: Folded and welded 2.5mm Aluminium panels with descaled stainless steel letters

Maximum projection of advertisement from the face of the building: 0.034m

It would be static and internally illuminated (500cd/m²)

Fascia Sign 2 (Pizza Express Address, Front Elevation)

Height from the ground to the base of the advertisement: 4.124m

Dimensions of the proposed advertisement: Height 0.275m x Width 1.757m x Depth 0.034m

Maximum Height of any of the individual letters and symbols: 0.275cm

Maximum projection of advertisement from the face of the building: 0.034m

It would be static and internally illuminated (500cd/m²)

Fascia Sign 3 (Pizza Express Letters, Rear Elevation)

Height from the ground to the base of the advertisement: 4.896m

Dimensions of the proposed advertisement: Height 0.525m x Width 6.344m x Depth 0.034m

Maximum Height of any of the individual letters and symbols: 52cm

Colour of text and background: Satin black background with black and gold text

Materials: Folded and welded 2.5mm Aluminium panels with descaled stainless steel letters

Maximum projection of advertisement from the face of the building: 0.034m

It would be static and internally illuminated (500cd/m²)

Other Sign (Pizza Express Roundel, Right Side Elevation)

Height from the ground to the base of the advertisement: 1.678m

Dimensions of the proposed advertisement: Height 1.8m x Width 1.8m x Depth 0.1m

Maximum Height of any of the individual letters and symbols: 37cm

Colour of text and background: Satin Black background with stainless steel finished black logo

Materials: Stainless steel face rim and opal 050 acrylic disc with descaled steel finished logo

Maximum projection of advertisement from the face of the building: 0.1m

It would be static and internally illuminated (500cd/m²)

Relevant Planning History

2012/91755: Erection of 3 internally illuminated fascia signs and 1 roundel logo. Planning application details | Kirklees Council – **Advertisement Consent Granted**

2011/90833: Erection of restaurant within Class A3. Planning application details | Kirklees Council - **Section 106 Full Permission**

98/90671: Erection of non-food retail warehouse units (within class a1) with associated car parking and access works. Planning application details | Kirklees Council – **Conditional Full Permission**

Representations

No publicity is required for applications regarding signs and advertisements.

Consultation Responses

KC Environmental Health - no objections

KC Highways Development Management – No objections

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 Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **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 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. Policy LP25 of the Local Plan sets out that the display of advertisements will only be permitted if they satisfy the following criteria:

- The design is consistent with the character of the existing building in terms of scale, quality and use of materials;
- Proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest.

The application would see three internally illuminated fascia signs and one internally illuminated roundel installed to the front, side and rear elevations of the restaurant. Although the signage would have some visibility from public vantage points, it would be appropriate to the context of the site and would not give rise to any visual amenity harm.

KC Environmental Health were formally consulted on the proposal and have provided comments in relation to the internally illuminated signs. The application form provides the dimensions of the three fascia signs, which are all less than 10m² with a luminance level of 500cd/m². This is below the maximum level set in The Institute of Lighting Professionals PLG05 document, Table 4. Therefore, Environmental Health accept this information and have no objections to permission being granted for this development.

KC Highways Development Management were informally consulted on the scheme. Whilst any advertisement would cause a level of distraction, it is noted that the luminance levels would be appropriate to the context of the site and the intended purpose of the sign. On this basis, the signage would not be a significant distraction to drivers and would not give rise to any highway safety issues.

In this instance, it is considered that the proposed signage, due to their position, design, and scale, would not result in any detriment to amenity or public safety. As such, the proposed advertisement is considered to comply with Paragraph 132 of the NPPF, and Policies LP24, and LP25 of the 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 development would constitute sustainable development and is therefore recommended for approval.

Recommendation: Grant advertisement consent

Decision Authorisation - Delegated Powers

Application Number: 2023/91571

Officer Recommendation: Grant Advertisement Consent

Conditions and Reasons

Standard 5 advert conditions

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan	-	-	05/06/2023
Existing Signs	596741-1	-	05/06/2023
Existing Signs	596741-2	-	05/06/2023
Existing Signs	596741-3	-	05/06/2023
Proposed Signs	596741-4	-	05/06/2023
Proposed Signs	596741-5	-	05/06/2023
Proposed Signs	596741-6	-	05/06/2023
Proposed Site and Block Plans	596741-7	-	05/06/2023
Existing and Proposed Side/Rear Visuals	-	C	05/06/2023
Existing and Proposed Front Visuals	-	E	05/06/2023

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. The scheme was considered acceptable and therefore no alterations were required after submission.

Report Dated: 05/07/2023

