

**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:	2023/64/91620/E
Site Address:	Sliderobes, Gelderd Road, Birstall, Batley, WF17 9QD
Description:	Advertisement Consent for installation of double sided static LED signage
Recommending Officer:	Elenya Jackson

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 02-Aug-2023

Site Description

Sliderobes, Gelderd Road, Birstall, Batley, WF17 9QD

The application site is a large metal clad detached unit which is situated on the eastern side of the A62. The site is enclosed by mesh fencing.

The street scene is mixed use with a larger unit sharing an access with the application property which is currently occupied by 'Pet Brands'. Adjacent to the site are residential properties and an 'Alight Media' digital screen.

Description of Proposal

This application seeks advertisement consent for one free standing LED sign to the western elevation of the site.

The free standing sign would have a width of 3m with a maximum height of 4.5m. This would have an illumination level of 600cd/m²

History of negotiations/amendments received

No further amendments required.

Relevant Planning History

N/A

Representations

No publicity is required for applications regarding signs and advertisements; however, the application was publicised on the Kirklees Council Website.

No objections were received.

Advertisements are controlled with reference to their effect on amenity and public safety only and therefore, the application shall be determined considering the material considerations only.

Consultations

KC Highways DM and KC Environmental Health were consulted, and no objections were received. However, KC Environmental Health requested conditions relating to the installation of illuminated lighting.

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.

Kirklees Local Plan (LP):

LP 24 – 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 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:

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

Principle of Development:

The application relates to an advertisement consent. Adverts are acceptable as a matter of principle. Paragraph 136 of the NPPF (2021) states that advertisements should normally be subject to control only in the interests of amenity and public safety.

2- Impact on amenity

The proposal would be set away from the street scene and replace an existing static sign. Within the street scene there is a variety of residential properties

and an illuminated advertisement which is larger than the proposal. The scale of the signage is considered appropriate to the nature and scale of existing development and KC Environmental Health have not raised any objections to the illumination levels of the proposal.

A condition is proposed to be attached to the Decision Notice limiting the lifespan of the signs.

The signage is not in close proximity to any residential properties and therefore no significant issues would be raised regarding the impact on residential amenity.

3- Other Matters

The Highways Authority have been consulted and raised no objections as in this instance, the proposal is fully contained within the site and not adjacent to any junctions.

4 – Representations

N/A

As such, the proposed advertisement is considered to comply with paragraph 136 of the NPPF, and Policies LP24, and LP25 of the Local Plan in terms of achieving good design and well-designed places.

Conclusion

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: 2023/91620

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Current Signage			1/06/2023
Proposed Signage			1/06/2023
Location Plan			1/06/2023
Proposed front elevation			1/06/2023

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.

02.08.23