

**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: | 2023/64/91691/W |
| Site Address: | Morrisons, Penny Lane, Waterloo, Huddersfield, HD5 8QW |
| Description: | Advertisement Consent for signage relate to a car windscreen repair facility |
| Recommending Officer: | Tom Hunt |

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.

Teresa Harlow

AUTHORISED OFFICER

Date: 01-Sep-2023

Site Description

2023/91691 – Morrisons, Penny Lane, Waterloo, Huddersfield, HD5 8QW

The application site relates to an area of land currently used for parking within the Morrisons Car Park in Waterloo. Apart from Morrisons itself, the site is screened by mature trees to boundary and trolley storage structures. To the north of the site is a gym, to the east of the site beyond woodland are residential properties. To the southeast and west of the site is the main Morrisons store and its associated car park.

Description of Proposal

Permission is sought for Advertisement consent for signage relating to a car windscreen repair facility

Signage 1 & 5 'Autoglass'

The details are as follows:

Height from the ground to the base of the advertisement: ~2.5m

Maximum projection of the advertisement from face of building: 0.01m

Dimensions: Height 0.409m

Length: 1.765m

Depth 0.01m

Materials: Printed on pre-fabricated vinyl material

Maximum height of individual letters and symbols: 0.164m

Colour of text and background: Red text on white background, accent symbol in yellow and red

It would not be illuminated.

Signage 2 & 6 'at Morrisons'

The details are as follows:

Height from the ground to the base of the advertisement: ~2.5m

Maximum projection of the advertisement from face of building: 0m

Dimensions: Height 0.424m

Length: 2.832m

Depth 0.0m

Materials: Printed on pre-fabricated vinyl material

Maximum height of individual letters and symbols: 0.348m

Colour of text and background: Green text on white background

It would not be illuminated.

Signage 3 & 4 'book online now...'

The details are as follows:

Height from the ground to the base of the advertisement: ~0.25m

Maximum projection of the advertisement from face of building: 0m

Dimensions: Height 0.266m

Length: 5.071m

Depth 0.0m

Materials: Printed on pre-fabricated vinyl material

Maximum height of individual letters and symbols: 0.266m

Colour of text and background: White text on red background

It would not be illuminated.

Signage 5 'Autoglass' (on drawing 003. Rev: C)

The details are as follows:

Height from the ground to the base of the advertisement: ~2.5m

Maximum projection of the advertisement from face of building: 0m

Dimensions: Height 0.48m

Length: 2.051m

Depth 0.0m

Materials: Printed on pre-fabricated vinyl material

Maximum height of individual letters and symbols: 0.190m

Colour of text and background: Red text on white background, accent symbol in yellow and red

It would not be illuminated.

History of negotiations/amendments received

It was agreed by the agent that the related extant application ref: 2022/92575 would be revoked on agreement of an S106 obligation in order to avoid the cumulative impacts of the current proposal for the wider site.

Relevant Planning History

The planning history of the site relates to the following:-

89/07213 – Penistone Road, Waterloo, Huddersfield.

Outline application for food retail development with associated servicing and car parking.

Withdrawn.

90/07011 – Penistone Road, Waterloo, Huddersfield.

Outline application for Class 'A' retail development to include superstore, with associated petrol filling station, car wash, car parking.

Conditional Outline Permission.

93/04443 – Penistone Road, Waterloo, Huddersfield.

Outline application for the erection of class A1 retail foodstore, petrol filling station and car wash with car park and new access road.

Conditional Outline Permission.

94/91519 – Penistone Road, Waterloo, Huddersfield.

Erection of supermarket, petrol filling station with car wash, associated car parking and access road.

Approval of Reserved Matters.

95/91379 – Penistone Road, Waterloo, Huddersfield.

Variation of condition 22 relating to noise levels on previous permissions 93/60/04443/w3 and 94/61/91519 for erection of supermarket petrol filling station with car wash, associated car parking and access road.

Conditional Full Permission.

95/90477 – Penistone Road, Waterloo, Huddersfield.

Variation of condition 24 relating to hours of opening on previous permission (94/61/91519/w3) for erection of supermarket, petrol filling station with car wash associated car parking and access road.
Conditional Full Permission.

95/90029 – Penistone Road, Waterloo, Huddersfield.
Erection of various illuminated signs to supermarket and petrol filling station.
Advertisement Consent Granted.

2004/92869 – WM Morrison Supermarkets Plc, Penistone Road, Waterloo, Huddersfield, HD5 8QW.
Erection of extension to form produce pod and reposition existing 4 no. Parent and toddler parking bays.
Conditional Full Permission.

2016/91238 – Morrisons, Penny Lane, Waterloo, Huddersfield, HD5 8QW.
Installation of illuminated and non illuminated signs.
Advertisement Consent Granted

2017/90666 – Petrol Filling Station Morrisons, Penny Lane, Waterloo, Huddersfield, HD5 8QW.
Variation of condition 24 (petrol station opening hours) on previous permission (94/61/91519/W3) for erection of supermarket, petrol filling station with car wash associated car parking and access road.
Removal or Modification of Condition(s).

2022/92575 – Morrisons, Penny Lane, Waterloo, Huddersfield, HD5 8QW.
Erection of car windscreen repair facility (Sui Generis).
Conditional Full Permission on 21 December 2022.

2022/92576 – Morrisons, Penny Lane, Waterloo, Huddersfield, HD5 8QW.
Advertisement consent for installation of vinyl graphics on pod.
Granted on 21 December 2022.

Officer Note: The latter two proposals are still extant and therefore are discussed in the assessment.

Representations
No publicity required.

Consultations
No

Policy

This application is submitted pursuant to the requirement of paragraph 4 of Part 1 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is within the Strategic Green Infrastructure Network and next to a Wildlife Habitat Network on the Kirklees Local Plan. It is in a bat Alert area, a Low Coal risk area, a historic landfill buffer area. The site is unallocated for development.

Kirklees Local Plan (LP):

- 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.

Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in Chapter 2 of the National Planning Policy Framework.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that “good design should be at the core of all proposals in the district”.

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;
- b. Proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest.
- c. the shop fascia is designed to be in scale, in its depth and width, with the façade and street scene of which it forms part.

The proposed signage would be on a new prefabricated pod in the setting of Morrisons car park and would be of a similar scale and height to the existing trolley storage points. It would be consistent within its setting due to its position, design and scale and would be heavily screened by surrounding trees to the boundary and the store itself away from the public highway.

There is an extant planning application 2022/92575 granted Conditional Full Permission on 21 December 2022 and an application for advertisement consent 2022/92576 granted on 21 December 2022; following discussions, the agent confirmed that they are willing to enter a S106 obligation to not undertake the extant planning application which is sited in a different location within the car park in order to avoid cumulative impact on the capacity of the car park.

The associated planning application 2023/91690 for the use of the land / structure upon which the signage under this proposal would be sited is agreed to be for a temporary period of 5 years. As such it is considered that the 5 year impact of the proposal is not considered to be significant in relation to visual amenity given the signage would be removed after a temporary period of time and taking account of the conclusions in relation to the visual impact in this case.

As such the proposed signage would not result in any detriment to amenity or public safety within a low speed car park setting. As such, the proposed advertisements are considered to comply with paragraph 136 of the NPPF, 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
 Application Number: 2023/91691
 Officer Recommendation: Grant advertisement consent

Conditions and Reasons
 Standard 5 advert conditions

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|---|---|------------|---------------|
| Location Plan | Drawing No. 079_PL_01. | Unamended. | 08/06/2023 |
| Proposed Site Plan. | Drawing No. 079_PL_02. | Unamended | 08/06/2023 |
| Proposed Elevation and Floor Plan for Autoglass Modules Fitting Pod. | Drawing No. 002. | C | 08/06/2023 |
| Proposed Elevation and Floor Plans for Autoglass Modules Windscreen Store. | Drawing No. 003. | C | 14/06/2023 |
| Proposed Floor, Elevation, Section A/A and B/B and Structural Roof Plan for Autoglass Canopy 9600 X 4800. | Drawing No. 001. | A | 08/06/2023 |
| Supp Info – Covering Letter | Peacock & Smith. 07 June 2023 | Original | 08/06/2023 |
| Design and Access Statement | Design and Access Statement by Whittam Cox Architects. Dated: 22.05.2023. | 01 | 08/06/2023 |

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. It was agreed by the agent that the related extant application ref: 2022/92575 would be revoked on agreement of an S106 obligation in order to avoid the cumulative impacts of

the current proposal for the wider site. This did not impact on the assessment of this advertisement consent independently.

Report Dated:

30/08/2023