

**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:	<b>2023/64/92326/E</b>
Site Address:	Aldi Foodstore, 119, Huddersfield road, Mirfield, WF14 9DA
Description:	Advertisement Consent for internally illuminated and non-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.**

Sarah Longbottom

***AUTHORISED OFFICER***

**Date: 25-Sep-2023**

## **Officer Report**

**Reference No.** 2023/64/92326/E

**Site Address:** Aldi Foodstore, 119, Huddersfield road, Mirfield, WF14 9DA

**Proposal:** Advertisement Consent for internally illuminated and non-illuminated signs

## **Site Description**

The application relates to Aldi Foodstore, a retail unit located off Huddersfield Road in Mirfield. The surrounding area is of mixed use and comprises residential 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 immediate proximity.

## **Description of Proposal**

The application seeks advertisement consent for the installation of illuminated and non-illuminated signs. The details of the proposed signage as outlined on the application forms and plans can be found below:

### **Sign 1 (Internally Illuminated Fascia Sign)**

Height from the ground to the base of the advertisement: 2.1m

Dimensions of the proposed advertisement: Height 2.47m x Width 2.07m x Depth 0.2m

Maximum Height of any of the individual letters and symbols: 55cm

Colour of text and background: White lettering on a blue background

Materials: Sign boxes to be aluminium finished RAL 7016 Anthracite grey.

Sign panel to be poly-carbonate finished with screen printed 5 colour foil logo

Maximum projection of advertisement from the face of the building: 0.2m

It would be static and internally illuminated (108cd/m<sup>2</sup>)

### **Sign 2 (Internally Illuminated Fascia Sign)**

Height from the ground to the base of the advertisement: 2.1m

Dimensions of the proposed advertisement: Height 2.47m x Width 2.07m x Depth 0.2m

Maximum Height of any of the individual letters and symbols: 55cm

Colour of text and background: White lettering on a blue background

Materials: Sign boxes to be aluminium finished RAL 7016 Anthracite grey.

Sign panel to be poly-carbonate finished with screen printed 5 colour foil logo

Maximum projection of advertisement from the face of the building: 0.2m

It would be static and internally illuminated (108cd/m<sup>2</sup>)

### Sign 3 (Non-Illuminated Vinyl Sign)

Height from the ground to the base of the advertisement: 0.46m

Dimensions of the proposed advertisement: Height 1.46m x Width 1.24m x Depth 0.01m

Maximum Height of any of the individual letters and symbols: 55cm

Colour of text and background: White lettering on a blue background

Materials: Screen printed 5 colour foil logo

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

### Sign 4 (Internally Illuminated Free Standing Totem Sign)

Height from the ground to the base of the advertisement: 4.53m

Dimensions of the proposed advertisement: Height 7m x Width 2.07m x Depth 0.44m

Maximum Height of any of the individual letters and symbols: 116cm

Colour of text and background: White lettering on a blue background

Materials: Support posts to be steel finished, colour RAL7016 anthracite grey.

Sign boxes to be aluminium finished RAL 7016 anthracite grey. Sign panel to be polycarbonate finished with screen printed 5 colour foil logo.

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

It would be static and internally illuminated (108cd/m<sup>2</sup>)

### **Relevant Planning History**

2023/92444: Discharge of conditions 4 and 5 (retaining walls) of previous reserved matters approval 2022/90890 for matters of layout, appearance, scale and landscaping pursuant to outline permission 2019/92221 for demolition of existing buildings and erection of Class E retail unit, access, car parking, servicing, landscaping and associated works. [Planning application details | Kirklees Council](#) - **Pending Consideration**

2023/92061: Discharge of conditions 6 (right-turn lane), 8 (Construction Management Plan), 10 (electric vehicle charging), 11 (Phase II report), 18 (temporary drainage), 20 (surface water drainage), 22 (hardstanding drainage) and 27 (external lighting) of previous outline permission 2019/92221 for demolition of existing buildings and erection of Class E retail unit, access, car parking, servicing, landscaping and associated works (all matters reserved other than access). [Planning application details | Kirklees Council](#) - **Pending Consideration**

2023/91925: Discharge conditions 2 (Bank Stability Risk Assessment and Method Statement), 3(CEMP), 6 (Environmental Design Strategy) on previous permission 2022/90890 for reserved Matters application to discharge matters of layout, appearance, scale and landscaping pursuant to outline planning permission 2019/92221 for demolition of existing buildings and erection of

Class E retail unit, access, car parking, servicing, landscaping and associated works. [Planning application details | Kirklees Council](#) – **Pending Consideration**

2022/90890: Reserved Matters application to discharge matters of layout, appearance, scale and landscaping pursuant to outline planning permission 2019/92221 (demolition of existing buildings and erection of Class E retail unit, access, car parking, servicing, landscaping and associated works). [Planning application details | Kirklees Council](#) – **Approval of Reserved Matters**

2019/92221: Outline application for demolition of existing buildings and erection of Class E retail unit, access, car parking, servicing, landscaping and associated works (all matters reserved other than access). [Planning application details | Kirklees Council](#) – **Section 106 Outline Permission**

2007/93712: Erection of single storey extension and new single storey sales/office unit. [Planning application details | Kirklees Council](#) – **Conditional Full Permission**

90/03262: Erection of signs. [Planning application details | Kirklees Council](#) – **Advertisement Consent Granted**

89/01701: Replacement of existing sales department and workshop. [Planning application details | Kirklees Council](#) – **Granted Conditionally**

### **Representations**

No publicity is required for applications regarding signs and advertisements.

### **Consultation Responses**

KC Highways Development Management – No objections

KC Environmental Health – 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 27<sup>th</sup> 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 proposal would see two internally illuminated fascia signs, one non-illuminated vinyl sign and one internally illuminated freestanding totem sign installed at the application site. Although the signage would have some visibility from public vantage points, they would be appropriate to the context of the site and would not give rise to any visual amenity harm.

KC Environmental Health have reviewed this application and supporting documents and do not consider there to be any significant environmental health impacts with this development. Therefore, officers have no objections to permission being granted for this development.

KC Highways Development Management were informally consulted on the proposed scheme. Whilst any advertisement would cause a level of distraction, it is noted that the signage would be appropriate to the context of the site and its intended purpose. The totem sign would be set back from the highway and would allow adequate visibility as demonstrated by the visibility splays. Furthermore, it is noted that there are other illuminated advertisements within the vicinity of the site and therefore precedence has been established. Therefore, it is considered that 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:** 2023/92326**Officer Recommendation:** Grant Advertisement Consent**Conditions and Reasons**

Standard 5 advert conditions

**Plans and specifications schedule: -**

<b>Plan Type</b>	<b>Reference</b>	<b>Revision</b>	<b>Date Received</b>
Site Location Plan	17166-500	-	08/08/2023
Signage Details	Ss_40_10_00-0001	P02	08/08/2023
Signage Elevations	Zz_70_30_00-0002	P02	08/08/2023
Signage Location Plan	Zz_70_60_00-0006	P03	08/08/2023
Aldi Standard Signage Luminance Levels	-	-	08/08/2023
Proposed Signs	-	-	08/08/2023

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: 12/09/2023**