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:	**2023/64/92992/E**
Site Address:	213-215, Oxford Road, Gomersal, Gomersal, BD19 4PY
Description:	Installation of illuminated sign
Recommending Officer:	Jennifer Booth

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: 04-Dec-2023

Application Number	2023/64/92992/E
Location	213-215, Oxford Road, Gomersal, Gomersal, BD19 4PY
Proposal	Installation of illuminated sign
Recommendation	Grant Advertisement

Site Description

213 – 215 Oxford Road is a brick built, two storey building previously operated as a day nursery with current permission to operate as a dental surgery. The site has enclosed land to the front and rear with a parking area to the side.

The building is located on the corner of Oxford Road and Kirkstone Drive. There are residential properties to the side and rear of varying ages and styles and business premises on the opposite side of Oxford Road.

Description of Proposal

The application seeks consent for the erection of a fascia sign to the front and side of the building.

Details are included in the application form of sign sizes and detail.

Relevant Planning History

2022/91618 - replacement shop front, roller shutters and single storey rear extension - granted

2022/90077 - certificate of lawfulness for proposed change of use to dental surgery - granted

2011/92393 – change of use and alterations to convert dwellings to day nursery – approved, although it should be noted that the property is improperly named on the decision notice as 231-215 Oxford Road. The site is clearly identified in the application form and on the approved plans.

2010/90682 – use of vacant premises to day nursery - withdrawn

2005/92737 – change of use from shop to fish & chip shop and café - refused

Representations

No publicity required

Consultations

K.C. Conservation & Design – informal discussion, given substantial screening, the signage would not unduly impact the adjacent listed building.

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 1 – Achieving sustainable development
LP 2 – Place shaping
LP 24 – Design
LP25 – Advertisements and shop fronts
LP35 – Historic Environment

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th February 2019, 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
- Chapter 16 – Conserving & enhancing the historic environment

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.

The application form details that the signage would be internally illuminated. In this instance, given the approved use of the building, appropriate signage would be considered to be acceptable. The proposed signage, due to the positions, design and scale would not result in any detriment to amenity or public safety. It is noted that the building is adjacent to a listed building. However, the building is well screened from the site with significant fencing and hedging along the boundary and as such, the signage is not considered to unduly impact on the adjacent listed building. As such, the proposed advertisements are considered to comply with paragraph 132 of the NPPF, Policies LP24, LP25 and LP35 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: 2023/92992
Officer Recommendation: Grant advertisement consent
Conditions and Reasons

1-5) Standard 5 advertisement conditions

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Application form		1011638	09/10/2023
Location plan	-	1011662	09/10/2023
Proposed plans	-	1011641	09/10/2023

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. As the proposals were considered to be acceptable in their original form, no amendments were sought.

Report Dated: 28/11/2023