



Town and Country Planning Act 1990

Town and Country Planning (General Development Procedure) Order 1995

REFUSAL OF CONSENT TO DISPLAY ADVERTISEMENT(S)

Application Number: 2024/64/90579/E

To: Djellza Mujka,
Carter Jonas
One Chapel Place
London
W1G 1BG

For: Wildstone Estates Ltd

In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby refuses consent to:-

ERECTION OF GABLE END DIGITAL-48 SHEET ADVERTISEMENT

At: ADJ, ROSE AND CROWN, 6, WESTGATE, CLECKHEATON, BD19 5ET

In accordance with the plan(s) and applications submitted to the Council on 26-Feb-2024. The reasons for the Council's decision to refuse consent for the advertisement(s) to be displayed are:-

1.The advertisement display, by virtue of its scale and illumination, neither fits harmoniously on the size of the building it is set upon nor respects the architectural features of the historic inn. The design would represent inappropriate development due to its impact to the host building which fails to accord with LP 24 & LP 25 of the Kirklees Local Plan.

2.The proposed advertisement consent would appear incongruous, dominating a streetscene that holds an important character due to its town centre location and historic surroundings. It would disrupt an important vista westbound of Westgate and break up the collection of historic buildings and monuments that form the character of the area. Because of the size and scale of the display, it would neither enhance nor preserve the character of the area, therefore failing to accord with LP 24 & LP 25 of the Kirklees Local Plan.

Plans and Specifications Schedule:

Plan Type	Reference	Version	Date Received
Location plan	22954/PA/01	-	26/02/2024
Existing site plan	22954/PA/02	-	26/02/2024
Proposed site plan	22954/PA/03	-	26/02/2024
Existing and proposed elevations	22954/PA/04	-	26/02/2024

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 Authority have, where possible, made a preapplication advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Amendments were sought to reduce the size of the advertisement display, in response it was considered the illumination levels and sequencing could be controlled via condition, however there would still be a detrimental impact from the display.

Development within a Coal Mining Area

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

Digital Infrastructure: Fibre To the Property (FTTP)

Access to affordable and reliable broadband is necessary for Kirklees' residents, businesses, and visitors to take advantage of the growing digital economy and 'digital by default' services. Fibre optic cables direct to a property (FTTP) is the most reliable way of delivering high speed broadband connectivity and allows for gigabit internet speeds. Access to high quality digital infrastructure provides the foundations for, amongst other things:

- Economic prosperity – workforces that are digitally-literate enables business to thrive.
-
- Digital literacy – digital literacy and skills increase employability and people can exploit the internet for transactional, social, entertainment and learning purposes.

- New services – digital delivery can lower costs and provide innovative public and health services more conveniently.

It is therefore advised that digital infrastructure, including FTTP, and its benefits for the development be considered from the earliest feasible stage. Methods include working with Internet Service Providers to install digital infrastructure alongside other utilities or providing pre-infrastructure allowing for speedier installation at a later date.

Note: The provision of fibre infrastructure is often available from certain telecommunications providers free of charge for development over a certain scale, provided that sufficient notice is given. Notice periods are typically at least 12 months prior to first occupation. In some cases, providers may request a contribution from the developer.

Note: Where no telecommunications provider has been secured to provide fibre infrastructure by the time of highway construction, it is advised that additional dedicated telecommunications ducting is incorporated alongside other utilities to enable the efficient and cost-effective provision of fibre infrastructure in the future.

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse this application, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

All advertisement appeals have to be submitted to the Secretary of State within 8 weeks of the date of issue of the Local Planning Authority's decision against which you are appealing.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorate's website <https://www.gov.uk/government/organisations/planning-inspectorate>.

You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted advertisement consent or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to dc.admin@kirklees.gov.uk so that we can work on continually improving our customer service. Thank you.

Dated: 06-Jun-2024

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Application Plans

The decision notice indicates which plan/s relate to the decision.

Plans can be viewed on the Planning and Building Control web site:

<http://www.kirklees.gov.uk/business/planning/planning.asp>

If a paper copy of the decided plan is required, please email:

dc.admin@kirklees.gov.uk

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

Address to which all communications should be sent:

Kirklees Council
Planning and Development Service
PO Box 1720
Huddersfield
HD1 9EL
