

**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:	2024/64/90856/E
Site Address:	18, Commercial Road, Skelmanthorpe, Huddersfield, HD8 9DA
Description:	Advertisement Consent for internally and externally illuminated signs
Recommending Officer:	Edward Cheseldine

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.**

Kirsty Nicholls

AUTHORISED OFFICER

Date: 20-May-2024

Officer Report

2024/90856 - 18, Commercial Road, Skelmanthorpe, Huddersfield, HD8 9DA

Site Description

18 Commercial Road is a two storey, end-terrace property in Skelmanthorpe. It is constructed with stone exterior walls which fall under a stone slate pitched roof. The property has a simplistic form and character. There is an associated front outdoor plot and rear garden. The building adjoins a retail unit. The site falls within the town centre boundary of Skelmanthorpe.

Proposal Description

The application is seeking advertisement consent for three internally and externally illuminated signs.

- Sign on gable end 1.5m x 1.5m with white text on blue background externally illuminated at 400cd/m²
- Fascia sign on front elevation 3.5m x 0.61m with white text on blue background externally illuminated at 400cd/m²
- Hanging sign 0.61 x 0.61 with white text on blue background internally illuminated at 400 cd/m², it will be double sided.

History of Negotiations / Amendments

None.

Consultations

None.

Representations

Denby Dale Parish Council submitted comments on the application in relation to the illumination of the signs at night. However, due to the nature of the application, no comment is made.

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 without notation on the Kirklees Local Plan.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP21 – Highway Safety and Access
- LP24 – Design
- LP25 – Advertisement 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 December 2023, together with Circulars, Parliamentary Statements and associated technical guidance. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving Sustainable Development
- Chapter 9 – Promoting Sustainable Transport
- Chapter 12 – Achieving Well-Designed and Beautiful Places
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 – Conserving and Enhancing the Natural Environment

Assessment

Policy LP 24 relates to design respecting the surrounding environment and providing a high level of amenity for neighbouring occupiers.

Policy LP 25 of the Kirklees Local Plan is relevant to advertisements.

The development of new or replacement shop front units and 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, The development of new or replacement shop front units and 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 signage is currently displayed on 14B Commercial Road. The signage is modest in design with royal colours, there is a combination of internal and external illumination which is not disruptive. The signage is an appropriate scale to the elevations they are placed on.

In terms of residential amenity, there are residential dwellings opposite the side elevation. On the side elevation of the adjacent dwelling, there is a small window on the first floor and a small opening on the ground floor. The advertisement on the gable-end will be externally lit, it faces the first-floor window. In order to protect amenity, it will be conditioned that the side gable fascia sign is switched off outside of hours of business.

There is a residential property to the front of the dwelling, it faces 18 Commercial Road at an acute angle, there is also a side window that directly faces the business. In order to protect amenity, it will be conditioned that the lighting for the front facing fascia sign is switched off outside of hours of business.

Light illumination levels are compliant with current permitted regulations.

Conclusion

The application for advertisement consent therefore accords with Policy LP 24 & LP 25 of the Kirklees Local Plan.

Recommendation: Approve Advertisement Consent Decision Authorisation - Delegated Powers

Application Number: 2024/90856

Standard 5 advert conditions

1. The illuminated advertisement hereby permitted shall:
 - be installed and maintained thereafter in accordance with the approved plans
 - the fascia sign on the front elevation & side gable shall not be operated between the hours of 17:30 and 09:30 on any day of the week
 - have a luminance not exceeding 400 cd/m² at any part of the illuminated area.

Reason: To safeguard the amenities of the occupiers of nearby properties and promote sustainable development in accordance with Policy LP52 of the Kirklees Local Plan and Chapters 2 and 15 of the National Planning Policy Framework.

2. Illuminated signs shall be designed such that the maximum luminance does not exceed the values defined within the ILE Technical Report No 5 "Brightness of Illuminated Advertisements" and the values quoted in the application.

Reason: To safeguard the amenities of occupiers of nearby properties and for reasons of highway safety in accordance with Policy LP52 and LP21 of the Kirklees Local Plan and Chapters 2, 12 and 15 of the National Planning Policy Framework.

3. The permitted signs shall be statically illuminated only and no changes in their mode of illumination shall be permitted without the prior written consent of the LPA.

Reason: To safeguard the amenities of occupiers of nearby properties and for reasons of highway safety in accordance with Policy LP52 and LP21 of the Kirklees Local Plan and Chapters 2, 12 and 15 of the National Planning Policy Framework.

4. General external illumination shall be appropriately baffled or suitably screened to prevent unwanted "upward light" or "light spill" onto the highway or adjacent properties or land.

Reason: To safeguard the amenities of occupiers of nearby properties and for reasons of highway safety in accordance with Policy LP52 and LP21 of the Kirklees Local Plan and Chapters 2, 12 and 15 of the National Planning Policy Framework.

5. The consent granted shall relate solely to the lighting system that is the subject of the application. Variation of or additions to the means/mode of lighting shall not be permitted without the prior written approval of the LPA.

Reason: To safeguard the amenities of occupiers of nearby properties and for reasons of highway safety in accordance with Policy LP52 and LP21 of the Kirklees Local Plan and Chapters 2, 12 and 15 of the National Planning Policy Framework.

Plans and Specifications Schedule:

Plan Type	Reference	Version	Date Received
Location plan	2446 D 20 010	-	22 March 2024
Proposed site / block layout	2446 D 20 011	-	22 March 2024
Existing and proposed elevations	2446 D 20 012	-	22 March 2024
Gen – Existing signage	Gen 01	-	22 March 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.

The Case Officer did not undertake any negotiations with the applicant due to the application being acceptable in its submitted format.