



Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisement) Regulations 2007

CONSENT TO DISPLAY ADVERTISEMENT(S)

Application Number: 2024/64/90856/E

To: Benjamin Hellowell
AHJ Architects
The Courtyard
12A, Commercial Road
Skelmanthorpe
Huddersfield
HD8 9AA

For: Philpott

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

**ADVERTISEMENT CONSENT FOR INTERNALLY AND EXTERNALLY
ILLUMINATED SIGNS**

At: 18, COMMERCIAL ROAD, SKELMANTHORPE, HUDDERSFIELD, HD8 9DA

In accordance with the plan(s) and applications submitted to the Council on 25-Mar-2024, for a period of five years commencing on 20-May-2024 and expiring on 19-May-2029 subject to the condition(s) specified hereunder:-

- 1) Before any advertisement is displayed on land pursuant to this consent, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.
- 2) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

- 3) Any hoarding or similar structure, or any sign, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
- 4) Where any advertisement is required under the above-mentioned regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 5) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

The reason in each case for imposing the numbered conditions above are:

1/5) Conditions imposed by the above-mentioned regulations.

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 Local Planning Authority.

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 Local Planning Authority.

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.

Development within a Coal Mining Area

DEVELOPMENT LOW RISK AREA – STANDING ADVICE

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.

Details Reserved by Condition

- This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “*submitted to and approved in writing by the Local Planning Authority*”.
- You can apply online for approval of these details at the Planning Portals website at www.planningportal.gov.uk. Alternatively the forms and supporting guidance for submitting an application can be found online at www.kirklees.gov.uk/planning.
- This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.
- You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.
- It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.
- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to grant this application subject to conditions, 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: 20-May-2024

Signed:



David Shepherd
Strategic Director Growth and Regeneration

Decision Documents

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at www.kirklees.gov.uk/planning, and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2024/64/90856/E.

If a paper copy of the decision notice or decided plans are required please email dc.admin@kirklees.gov.uk or telephone 01484 414746 with the application number. There may be a charge for this service.

All communications should be sent to one of the following address:

E-mail: dc.admin@kirklees.gov.uk

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