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:	**2024/64/91086/W**
Site Address:	Perrys Motor Sales, Northgate, Huddersfield, HD1 6AP
Description:	Advertisement Consent for erection of illuminated and non-illuminated signs
Recommending Officer:	Joanna Rednall

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.

John Holmes

AUTHORISED OFFICER

Date: 10-Jun-2024

Site Description

The site is to the north of Huddersfield Town Centre and the Huddersfield Town Centre Conservation Area. The site is shared with a further car showroom and is to the south of the wider site with Northgate to the east, Southgate to the south and Viaduct Street to the west. To the west of the site is Huddersfield Railway Viaduct which is a Grade II Listed Building. The surrounding area is comprised of mainly commercial buildings comprised of car showrooms and also the Huddersfield ring road.

Description of Proposal

Consent is sought for erection of five illuminated and three non-illuminated signs.

Sign A – illuminated totem sign
Location: South-east boundary
Materials: Dibond
Colour of text and background: Chrome & White text / Black background
Illumination: internally (160cd/m2)
Size: 4.86m x 1.41m x 0.2m

Sign B - Fascia Sign
Location: south-west elevation
Materials: Dibond
Colour of text and background: Chrome logo / White text / Black background
Illumination: Internally (160cd/m2)
Size: 10886mm x 1275mm x 50mm

Sign C - Fascia Sign
Location: south-east elevation
Materials: Dibond
Colour of text and background: Chrome logo / White text / Black background
Illumination: internally (160cd/m2)
Size: 18862mm x 1275mm x 50mm

Sign D - Fascia Sign
Location: east elevation
Materials: Dibond
Colour of text and background: Chrome logo / White text / Black background
Illumination: internally (160cd/m2)
Size: 13100mm x 1275mm x 50mm

Sign E - Fascia Sign
Location: north-east elevation
Materials: Dibond
Colour of text and background: n/a
Illumination: non-illuminated
Size: 3478mm x 1275mm x 50mm

Sign F - Fascia Sign
Location: north-east elevation
Materials: Dibond
Colour of text and background: n/a
Illumination: non-illuminated
Size: 3478mm x 1275mm x 50mm

Sign G - Fascia Sign
Location: north elevation
Materials: Dibond
Colour of text and background: Chrome logo / White text / Black background
Illumination: Internally (160 cd/m2)
Size: 13016mm x 1275mm x 50mm Plus a 25mm up and downstand

Sign H - non illuminated wall mounted sign
Location: north-east elevation
Materials: Dibond
Colour of text and background: White text & logo / Black background
Illumination: non illuminated
Size: 710mm x 2435mm x 70mm

History of negotiations/amendments received

None

Relevant Planning History

2020/93969 - Advertisement Consent for the erection of illuminated and non-illuminated signs
ADVERTISEMENT CONSENT GRANTED

2020/92567 - Advertisement consent for the erection of illuminated and non-illuminated signs
ADVERTISEMENT CONSENT GRANTED

2016/93947 - Installation of 2no. non illuminated and 2no. illuminated signs
ADVERTISEMENT CONSENT GRANTED

2003/92346 - Erection of illuminated and non-illuminated car dealership signs
Advertisement Consent Granted

2001/91618 - Erection of illuminated and nonilluminated fascia signs and 1 illuminated totem sign
Advertisement consent granted

2000/93969 - Advertisement consent for the erection of illuminated and nonilluminated signs
Advertisement Consent Granted

2000/92480 - Erection of showroom and workshop extensions
Conditional Full Permission

2000/93295 - Removal of condition 3 relating to areas to be used by vehicles including parking on previous permission 2000/92480 for erection of showroom and workshop extension to allow alternative parking layout
Conditional Full Permission

1996/91052 - Erection of glazed canopy and external alterations
Conditional Full Permission

1999/93056 - Erection of extension to form larger showroom and offices
Conditional Full Permission

Representations

No publicity required

Consultations

None required.

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 (KLP):

LP 1 – Achieving sustainable development
LP 2 – Place shaping
LP 24 – Design
LP 25 – Advertisements and shop fronts
LP 30 – Biodiversity & Geodiversity
LP 35 – 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 December 2023, 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 2 – Achieving sustainable development.
- Chapter 9 – Promoting Sustainable Development
- Chapter 12 – Achieving well-designed and beautiful places.
- Chapter 14 – meeting the challenge of climate change, flooding and coastal change.
- Chapter 16 – Conserving and enhancing the historic environment

Assessment

Regulation 3 of the Advertisement Regulations limits the Local Planning Authority's powers in respect of advertisement applications to the consideration of amenity and public safety. Therefore, these are the key issues for consideration in this case.

<u>Amenity</u>

Regulation 3(2a) of the Advertisement Regulations states that: factors relevant to amenity include the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

Policy LP1 of the KLP states that when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in chapter 2 of the National Planning Policy Framework.

Policy LP2 sets out that all development proposals should seek to build on the strengths, opportunities and help address challenges identified in the Local Plan. Policy LP24 of the KLP is relevant and states that "good design should be at the core of all proposals in the district".

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 141 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.

Policy LP24 of Kirklees Local Plan and Chapter 12 of the NPPF set out that development should be of an acceptable design.

Policy LP25 of Kirklees Local Plan details that new or replacement shop front units and display of advertisements will only be permitted if the design is consistent with the character of the existing building in terms of scale, quality and use of materials, respect the character of the locality and are designed to be in scale, in its depth and width, with the façade and street scene of which it forms part.

Public Safety:

Regulation 3(2b) of the Advertisement Regulations makes clear that factors relevant to public safety include the safety of persons using the transport network, including the potential for an advertisement to obscure views of transport signage or equipment, and the potential for an advertisement to hinder the operation of any device used for security purposes.

The PPG sets out the main types of advertisements which may cause danger to road users. Of note, the PPG notes that this includes those, which would reduce the clarity or effectiveness of a traffic sign or signal, as well as illuminated signs when they are directly visible from the road, or the means of brightness could result in glare and dazzle or distract road users (Paragraph 068 Reference ID: 18b-068-20140306).

The design is consistent with the character of the existing dwelling with regard to scale, quality and use of materials. In this case, the proposed signage, due to its position, design and scale would not result in any detriment to amenity or public safety. All the proposed advertisements are to replace existing sign upon the host building and within its curtilage and are all considered to be of an acceptable size/scale with limited projections forward of the external walls of the building or to replace freestanding signs. Furthermore, the signs to be illuminated are considered to have an appropriate lumen level, with the illuminated signs to be internally illuminated.

It should also be noted that the host building has an established commercial use and has functioned as a garage for quite a significant amount of time. As such, the signs will harmonise with the business use of the building and therefore, it is concluded that the signage would not appear out of keeping or negatively prominent within the wider street scene.

Considering LP35 and the pre-existing relationship between the Railway Viaduct (Grade 2 Listed Building) and the car showroom; this proposal would preserve and not harm the significance of the asset as a recognised historic asset. The proposed signage would be fitted to a modern building, albeit within the setting of the listed building. LP24 requires that “the form, scale,

layout and details of all development respects and enhances the character of the townscape, heritage assets and landscape", this proposal would also accord with LP24 in terms of an acceptable design.

Signage can present some degree of distraction to drivers, however, in this instance, the proposed distraction levels would be negligible and therefore, the proposed advertisement would pose no highway safety concerns. This is because the signage is principally the rebranding of the premise with new signage largely replacing that which already exists.

As such, the proposed advertisements are considered to appropriately comply with Chapters 12 and 15 of the NPPF, as well as policies LP21, LP22, LP24, LP25 & LP52 of the Kirklees Local Plan.

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: 2024/91086

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Application form			18/04/2024
Site Plan with location of signs (1:500)	152479 – PLANNING – MAPS – 500 – Site Plan		23/04/2024
Location Plan (1:500)	152479 – PLANNING – MAPS – 500 – Location Plan		23/04/2024
Proposed/Existing	152479		23/04/2024
Proposed Elevations	152479 - Planning		23/04/2024
Signage Components	152479 – Plannng		23/04/2024
Site Plan with location of signs (1:1250)	152479 – PLANNING – MAPS – 12400 –		23/04/2024

Plan Type	Reference	Version	Date Received
	Site Plan		
Location Plan (1:1250)	152479 – PLANNING – MAPS – 12500 – Location Plan		23/04/2024

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 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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated: 10/06/2024

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