



**Town and Country Planning Act 1990**

**Town and Country Planning (General Development Procedure) Order 1995**

**REFUSAL OF CONSENT TO DISPLAY ADVERTISEMENT(S)**

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**Application Number: 2024/64/92029/W**

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**To:** I Anjam  
Alice In Groomingland  
7, Beast Market  
Huddersfield  
HD1 1QF

**For:** I Anjam

**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 ILLUMINATED AND NON-ILLUMINATED SIGNS (LISTED BUILDING WITHIN A CONSERVATION AREA)

**At:** ALICE IN GROOMINGLAND, 7, BEAST MARKET, HUDDERSFIELD, HD1 1QF

**In accordance with the plan(s) and applications submitted to the Council on 31-Jul-2024. The reasons for the Council's decision to refuse consent for the advertisement(s) to be displayed are:-**

1. The proposed advertisements, by virtue of their siting, materials, scale, design and nature of illumination, would create an overly cluttered frontage as a result of the extent of vinyl proposed to the glazing and an see the introduction of a fascia sign that would have an incongruous appearance that fails to reflect the design and style of the building and wider locality with the artificial lighting of this sign leading to additional visual harm. The advertisements would have a harmful impact upon the visual amenities and heritage significance of the site and local area, crating strident and discordant features. To permit such development would be contrary to Policies LP24, LP25 and LP35 of the Kirklees Local Plan, policies within Chapters 12 and 16 of the National Planning Policy Framework and the requirements of section 16(2) of the Planning (Listed Building and Conservation Area) Act.

Plans and Specifications Schedule: -

<b>Plan Type</b>	<b>Reference</b>	<b>Revision</b>	<b>Date Received</b>
Location Plan	TQRQM24207123719272	-	25.07.24
Lighting	-	-	25.07.24
Block Plan	-	-	31.07.24
Images of Signs	-	-	24.07.24
Light Statement	-	-	31.07.24

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.

The case officer entered into negotiation with the applicant, providing a copy of the consultation response from KC Conservation and Design linked to Listed Building Consent application 2024/92023.

In response to the case officer's correspondence, the applicant confirmed that they wanted the application to be determined on the basis of the information as submitted and that they did not wish to submit any amended plans.

#### **Development within a Coal Mining Area**

##### **DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE**

**The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.**

**Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:**

**[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)**

**Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.**

**If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)**

### **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](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 25-Sep-2024

**Signed:**



David Shepherd  
Executive Director for Place

### **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](mailto:dc.admin@kirklees.gov.uk)

or telephone (01484) 414746 with the application number.

There may be a charge for this service.

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**Address to which all communications should be sent:**

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

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