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:	**2024/64/92632/W**
Site Address:	Cathedral House, St Thomas' Road, Huddersfield, HD1 3LG
Description:	Advertisement Consent for internally illuminated signs
Recommending Officer:	Joshua Merriman

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.

Sarah Longbottom

AUTHORISED OFFICER

Date: 17-Oct-2024

Officer Report

Site Description

The application site refers to Cathedral House, St Thomas' Road, Huddersfield. The building is a large venue and event space located to the South West of Huddersfield town centre. The site benefits from a large car park as well as easy access from St Thomas' Road, which is a B-classed road running adjacent to the site.

Description of Proposal

Consent is sought for three internally illuminated signs.

Two signs are proposed on the East elevation of the building stating 'Huddersfield Christian Fellowship', with an overall width of 3.2m, indent of 4.8m, and letter height of 0.36m. Furthermore, a sign is proposed on the North East elevation of the building also stating 'Huddersfield Christian Fellowship' in white letter on a black background underneath a white and red logo. The overall size of these signs together will be 5m x 3.57m. Lastly, new lettering on the North East elevation is proposed stating 'Cathedral House', maintaining the same size letters at the existing signage of this nature, at 9.5m x 6m.

Relevant Planning History

2003/94500 – Outline application for erection of church with book shop, coffee shop and associated offices and parking – Conditional Outline Permission.

2004/92646 – Erection of new church with church book shop, coffee shop and related offices and associated parking – Conditional Full Permission.

2018/93845 – Notification for prior approval for the installation, alteration or replacement of other solar photovoltaics (PV) equipment on the roofs on non-domestic buildings – Details Approved.

Consultations

K.C. Highways Development Management – The proposed signs are internally illuminated and there are already examples of this type of sign within the immediate area. Although the road adjacent to the site is a B-class road and can get quite busy, the signs will not cause a severe impact on highway safety as the road is straight with good visibility and it is without any pedestrian crossings in the vicinity of the site. Although there are numerous side streets joining St Thomas' Road in the area of the site, it is unlikely the

illuminated signs would cause a sufficient distraction to be a highway safety concern.

KC Environmental Health – The proposed signs will not emit anymore than the allowed 300cdm^2, therefore, despite the residential properties across St Thomas Road from the site, the signs are permissible as they lie within the allocated luminance levels.

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
LP25 – Advertisements and shop fronts
LP30 – Biodiversity & Geodiversity

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published July 2021, 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 12 – Achieving well-designed and beautiful places
- Chapter 15 – Conserving and enhancing the natural 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 LP21 of the Kirklees Local Plan, The Council’s adopted Highway Design Guide, relates to access and highway safety and is considered to be relevant to the consideration of this application.

Following a consultation with the KC Highways Team, it was deemed that the signage would have no significant impact on highway safety in the proposed areas of placement, thus fulfilling the requirements of policy LP21 in the Kirklees Local Plan.

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.

Policy LP30 of the Kirklees Local Plan, and Chapter 15 of the NPPF, requires that proposals protect Habitats and Species of Principal Importance.

As the site is located within a bat alert area the proposal must comply with policy LP30 of the Kirklees Local Plan and Chapter 15 of the NPPF, requiring that proposals protect Habitats and Species of Principal Importance. However, due to the nature of the proposal, it will propose no significant opportunity for bat roosts, thus complying with the relevant policies. A note has been added to this report for the purpose of notifying the applicant that the proposal lies within an area of bat activity.

The dimensions of the proposed signs are as follows:

- East elevation of the building stating 'Huddersfield Christian Fellowship', with an overall width of 3.2m, indent of 4.8m, and letter height of 0.36m. This white lettering will be placed on the stone walls of the building.

- North East elevation of the building also stating 'Huddersfield Christian Fellowship' in white letter on a black background underneath a white and red logo. The overall size of these signs together will be 5m x 3.57m.

- North East elevation is proposed stating 'Cathedral House' in white lettering on a black background, maintaining the same size letters at the existing signage of this nature, at 9.5m x 6m.

Given these dimensions and designs, the signs are all of an acceptable design that is consistent with the surrounding street scene and character of the local area. All advertisements proposed are of an adequate scale, and submitted plans show them to be constructed to a high quality, using materials that respect the character and locality of the site. As such, the proposed advertisements are considered to comply with paragraph 132 of the NPPF, Policies LP24 and LP25 of the Local Plan in terms of achieving good design and well-designed places.

As aforementioned, a consultation with the environmental health team has deemed the luminance of the proposed illuminated signs acceptable when considering any potential effects on residential amenity.

It is considered that from the standpoint of amenity, the proposal fulfils all relevant laws and policies outlined above, therefore, is deemed acceptable and constitutes sustainable development.

NOTE: Due to its location, a bat roost may be present on site. Bats are a European protected species under regulation 41 of the Conservation of Habitats and Species Regulations 2010. It is an offence for anyone intentionally to kill, injure or handle a bat, disturb a roosting bat, or sell or offer

a bat for sale without a licence. It is also an offence to damage, destroy or obstruct access to any place used by bats for shelter, whether they are present or not. If bats are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

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).

As aforementioned, a consultation with the Councils highways team has deemed the illumination of the signs acceptable due to their illumination being internal. Furthermore, there are already examples of this type of sign within the immediate area. Moreover, the signs will not cause a severe impact on highway safety as the St Thomas' Road is straight, with good visibility, and it is without any pedestrian crossings in the vicinity of the site. Although there are numerous side streets joining St Thomas' Road in the area of the site, it is unlikely the illuminated signs would cause a sufficient distraction to be a highway safety concern.

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: 2024/92632

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received

Plan Type	Reference	Version	Date Received
Location Plan	-	-	02/10/2024
Grouped Plans and Elevations	CH Signage Detail V1	-	02/10/2024
Proposed Site/Block Layout	CH Elevation Site Plan	-	02/10/2024
Grouped Plans and Elevations	CH Construction and Fixing Detail	-	02/10/2024
Proposed Elevations	New Signage Artwork	-	02/10/2024
Photos General	Existing Tower Signage	-	02/10/2024
Photos General	Existing Tower 1 Signage	-	02/10/2024
Photos General	Existing Tower 2 Signage	-	02/10/2024

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: 14/10/2024