

**Consultation Response from: KC Environmental Health (Pollution & Noise Control)**

**2024/92964 Bradley Filling Station, Leeds Road, Bradley, Huddersfield, HD5 0RL**

**Advertisement Consent for erection of freestanding illuminated advertisement display**

**Responding Date:**  
**12<sup>th</sup> November 2024**

**Responding Officer:**  
**SR**

**Responding Ref:**  
**WK202435337**

**Comments**

We have reviewed the application and supporting information, we offer the following comments. The application concerns the erection of a freestanding D6 small format advertising display advertisement board, sized 2.4m by 1.23 m. Our comments and recommendations are limited to residential amenity, which are within the remit of Environmental Health. Due to the location of the proposal next to a busy highway the planner is advised to engage with other consultees.

According to our mapping system the nearest sensitive receptor is across the road circa 15m but given the angle of the proposed sign relative to the dwellings the view would be offset.

The sign proposed has a surface area of 2.952m<sup>2</sup>, the accompanying letter by Carter Jonas dated the 9<sup>th</sup> of October 2024 informs; The quality of the image produced will mimic that of a traditional paper and paste display, a maximum of 6 different advertisements, changing 1 every 10 seconds. The display is controlled remotely, light levels will adjust to background conditions ensuring levels do not exceed the Institute of Lighting Professionals (ILP), Technical Note 5 “The Brightness of Illuminated Advertisements including Digital Displays” (PLG05/23). Maximum night operation will be set at 300cd/m<sup>2</sup> max.

We have reviewed the submitted information which confirms adherence to the institute of Lighting Professionals current Guidance, lighting will be monitored and controlled.

We accept this information and recommend the following condition.

**Informative**

We would remind the applicant that Kirklees Council has powers under Sections 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

**Recommended Conditions**

**LC3a Illuminated Advertisements - Condition**

The illuminated advertisement hereby permitted shall:

- be installed and maintained thereafter in accordance with the approved plans
- have a luminance not exceeding 300cd/m<sup>2</sup> at any part of the illuminated area during darkness hours.
- The luminance level of the display should be controlled by ambient environmental control, which would automatically adjust the brightness level of the screen to track the light level changes in the environment throughout the day to ensure that the perceived brightness of the display is maintained at a set level as shown in Table 10.5 of Institute

of Lighting Professionals best practice guidance; The Brightness of Illuminated Advertisements (05/23)

- have illumination that is not flashing and not contain moving images
- have an image that changes no more frequently that once every 10 seconds
- have the illumination turned off if the system becomes faulty or any of the above requirements are not being met.

**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 NPPF.