

**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:	<b>2024/64/93009/W</b>
Site Address:	Former Kirklees College, New North Road, Huddersfield, HD1 5NN
Description:	Advertisement Consent for erection of illuminated signs
Recommending Officer:	Molly Storer

**DECISION – ADVERTISEMENT CONSENT GRANTED**

**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.**

Emma Thompson

***AUTHORISED OFFICER***

**Date: 16-Dec-2024**

## **Site Description**

The application site comprises the former Kirklees College Campus. It is located to the northwest of the junction comprising the A62 and the A640 (Trinity Street), with the south east boundary of the application site facing out on to the junction. The A64 then runs north, parallel to the site's eastern boundary, with Trinity Street forming its southwestern boundary.

The site area refers to the southern part of the former college site, which formerly contained a range of approximately five-story-high buildings dating from the 1970s.

The site has permission for a retail unit as part of the Hybrid planning application for mixed-use development, which was approved via Ref.2018/62/92647/W. application approved on the 3rd of August 2022 and varied via the Ref.2023/70/93058/W application on the 22nd of February 2023.

The site is located in an area of land that borders the Greenhead Park/New North Road Conservation Area to the north and west and the Huddersfield Town Centre Conservation Area to the East.

## **Description of Proposal**

Consent is sought for 4 illuminated signs.

The first sign proposed is a Flagpole sign. This sign is proposed to be positioned towards the west of the site, facing Trinity Street, towards access to the site. This illuminated logo sign will measure 2.1m x 2.1m and be set 2.618m from ground level. The illuminance level will be 440cd/m<sup>2</sup>.

The second and third signs will be large external logo signs. One sign is to be located along the store's entrance canopy, facing southwards, and the other is located along the canopy entrance, facing westwards towards the car park. They will both measure 2.361m x 2.5m and will have an illuminance level of 580cd/m<sup>2</sup>.

The fourth sign is an external billboard sign to be located to the southeast of the site, facing the A64. This will measure 6.3m x 3.050m and be set 1m above ground level. This will be externally illuminated by an illumination strip above it.

## **History of negotiations/amendments received**

No negotiations or amendments were deemed necessary.

### **Relevant Planning History**

There are multiple planning applications on site however prior to 2018 these relate to former uses of the site. The original permission for the Lidl store is as follows:

2018/92647 - Hybrid Planning Application for mixed use development - retail/office and 229 residential units (Use Classes C3/ E(a) /B1a). Full Planning permission for the partial demolition of the former Kirklees College, erection of a food retail store and alterations in connection with conversion of grade ii\* listed building to offices/apartments and creation of vehicular access from Portland Street, New North Road and Trinity Street. Outline application for erection of (two) buildings (residential apartments - C3 Use ) (Listed Building within a Conservation Area) – Section 106 Full Permission.

### **Representations**

No publicity required

Representations received: Not required for publication

Parish/Town Council – not applicable

### **Consultations**

K.C. Conservation and Design – although the site is within close proximity to a Conservation Area it is not located within it. The proposed advertisements will have no significant harm to the adjacent Conservation Areas therefore no objections.

K.C. Environmental Health - The development is located at a major junction on the edge of the town centre which has high background levels of lighting. Having reviewed the information provided we have no objections or recommendations to make.

### **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 27<sup>th</sup> 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 13 – Town centre uses  
LP 24 – Design  
LP 25 – Advertisements and shop fronts

### **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 2024, the Planning Practice Guidance Suite (PPGS) first launched 6<sup>th</sup> 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 4 – Decision making
- Chapter 12 – Achieving well-designed 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.

#### Amenity

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;
- b. 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.

The site is located within a town centre with a range of existing signage in the immediate area. The proposed signage which consists of the rebranding of the store with additional illumination. The signage will be located within an area of predominantly commercial uses along Trinity Street therefore the placement of the signage will neither oppose nor deteriorate the existing character of the area. It is considered that the scheme is minimal and efficient for the purpose of advertising the large supermarket, respecting the nearby build character of the area.

It is noted that the site is located between two Conservation Areas. K.C. Conservation were consulted on the application and stated that the development would have no significant impact on these areas and there would be no impact on the Heritage Assets to the north of the site as part of this proposal.

It is also noted that there the illuminated signs are not located near any residential buildings or sensitive receptors that could impact the amenities of occupiers.

Therefore, the signs are considered acceptable as a function of the use of the site and the immediate surrounding Local Centre area. The colouring is to replace that of the existing branding at the site although the proposed is to be illuminated. However, will be located in an area where there are brightly coloured advertisements and therefore will not appear out of character.

Therefore, it is considered that the size and scale of the signs are in keeping with the host building/site therefore in terms of amenity, the proposal is considered acceptable.

### 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.

However, in this instance the illuminated signs are of a modest size relative to the site and locality and are to be located in an area where branding and illuminated signs are prominent. Therefore, is considered that the works would not be detrimental to highway safety as the signs would brand the site without distracting drivers or pedestrians.

K.C. Environmental Health were consulted on the application and state that the development is located at a major junction on the edge of the town centre which has high background levels of lighting. Having reviewed the information provided we have no objections or recommendations to make.

As such, the proposed advertisements are considered to comply with paragraph 141 of the NPPF, Policies LP24 and LP25 of the Local Plan in terms of achieving good design and well-designed places.

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:** 2024/93009

**Officer Recommendation:** Grant advertisement consent

## Conditions and Reasons

Standard 5 advert conditions

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	7355-SMR-00-ZZ-DR-A-2001-S4-P2	-	22/10/2024
Grouped plans and elevations	7355-SMR-00-ZZ-DR-A-2008-S4-C3		22/10/2024
Covering letter	-	-	23/10/2024
Application form	-	-	22/10/2024

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 in the course of the application.

**Report Dated:** 16<sup>th</sup> December 2024