

**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:	2024/64/93104/W
Site Address:	Colin Appleyard Suzuki Cars, Folly Hall, Huddersfield, HD1 3PA
Description:	Advertisement Consent for 4 internally illuminated signs and 1 non illuminated sign
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: 19-Dec-2024

Officer Report

Site Description

The application site refers to Colin Appleyard Suzuki Cars, Folly Hall, Huddersfield, HD1 3PA, which is located South West of Huddersfield town centre. The site contains a car dealership, benefitting from a large forecourt, sales building, and large customer/business car park to the rear of the building. The site has easy access from Lockwood Road (A616), which is a designated A-road running adjacent to the site.

Description of Proposal

Consent is sought for 4 internally illuminated signs and 1 non illuminated sign.

The four illuminated signs are to replace existing illuminated signs. All four of these proposals are to change the current signage reading 'Colin Appleyard' to read 'D.M. Keith'. Three of these signs will measure 6000mm x 750mm, whereas, another will measure 5000mm x 750mm.

The proposed non-illuminated sign will also replace an existing sign. It is proposed to have dimensions of 976mm x 1275mm, and will appear very similar in appearance to the existing sign in this position.

All the advertisements proposed will be constructed using aluminium and acrylic materials.

Relevant Planning History

98/93377 – Erection of service workshop and parts department and car showroom and alterations to existing showroom – Conditional Full Permission.

2003/95214 – Extension to existing car showroom to form new entrance/reception area/office, parts and sale and demolition of building to form new forecourt – Conditional Full Permission.

2004/94880 – Erection of illuminated signage – Conservation Area Consent.

2012/90654 – Erection of extension to existing car showroom – Conditional Full Permission.

2012/90655 – Erection of signs – Advertisement Consent Granted.

2013/92206 – Erection of illuminated sign – Advertisement Consent Granted.

2019/93199 – Advertisement consent for erection of illuminated and non-illuminated signs – Advertisement Consent Granted.

Consultations

K.C. Highways Development Management – Following an informal consultation with the highways team it was considered that as the proposed advertisements are replacing existing signs, they are deemed acceptable and of no extra danger to the nearby A-road. Illuminated advertisement conditions have been added to the end of the report to accompany this consultation response.

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
LP31 – Strategic Green Infrastructure Network

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 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 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;
- 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.

Given the 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.

The signs are proposed to have a luminance level of 160cd/m², therefore, complying with the guidelines set out by The Town & Country Planning (Control of Advertisements) (England) Regulations 2007 and the Professional Lighting Guide (PLG 05) on the illuminance of advertisements.

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.

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, the illumination level of the signs complies with The Town & Country Planning (Control of Advertisements) (England) Regulations 2007 and the Professional Lighting Guide (PLG 05). Moreover, the signs will not cause a severe impact on highway safety as they are replacing existing signs, rather than adding potential hazards to the area. Although there are numerous side streets joining Lockwood Road (A616) in the area of the site, it is unlikely the illuminated signs would cause a sufficient distraction to be a highway safety concern.

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: 2024/93104

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions

6. At no time shall the Luminance level of the signs exceed the thresholds contained within the Institute of Lighting Professionals (ILP) guidance document PLG05 – The Brightness of Illuminated Advertisements 2015 as amended or superseded, for the lifetime of the development.

Reason: In the interests of visual amenity and highway safety and to comply with advice contained within Chapter 15 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Date Received
Application Forms	-	30/10/2024
Proposed Signs	-	30/10/2024
Existing Signs	-	30/10/2024
Existing Signs to Remain	-	30/10/2024
Location Plan	-	30/10/2024
Block Plan	-	30/10/2024

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.

16/12/2024

Report Dated: