

**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>2024/64/93168/E</b>
Site Address:	Service Course, 20, Commercial Street, Batley, WF17 5HH
Description:	Advertisement Consent for fascia sign (within a Conservation Area)
Recommending Officer:	Faiza Bano

**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: 16-Jan-2025**

## **Officer Report**

### **Site Description**

The site referenced in this application is Service Course, located at 20 Commercial Street, Batley, WF17 5HH. This site comprises a shop situated within a row of commercial establishments along Commercial Street. It is part of a two-storey terrace constructed from stone, featuring various shops and fascia signage at the ground floor level.

The site is within a designated Conservation Area and is classified as a Low Risk Coal Area.

### **Description of Proposal**

This application is seeking advertisement consent for a fascia sign. The proposed sign will be installed on the front elevation of the site. The sign will not be illuminated. The main colour on sign will be leaf green with pale yellow writing. The material of the sign will be aluminium composite and vinyl stickers on the windows.

### **Dimensions:**

- Height: 1 metre
- Width: 6 metres
- Depth: 0.2 metres
- Height from the ground to the base of the advertisement: 3 metres
- maximum projection of the advertisement from the face of the building: 0.1 metres
- maximum height of any of the individual letters and symbols: 50 cm

### **History of Negotiations**

The applicant emailed to inform officers of the updated colour palette of the signage.

The officer emailed the applicant to suggest resisting the addition of images of people on the windows, in order to comply with the guidance provided by KC Conservation and Design.

### **Relevant Planning History**

**Planning Ref: 2008/92961**

**Location:** 20,COMMERCIAL STREET,BATLEY,WF17 5HH

**Proposal:** ALTERATIONS TO EXISTING SHOP TO FORM 2 NO. SHOP UNITS AND INSTALLATION OF NEW SHOP FRONT (WITHIN A CONSERVATION AREA)

**Decision code:** FC

**Decision:** FC - CONDITIONAL FULL PERMISSION

**Decision Date:** 2008-10-06

### **Consultations**

KC Conservation and Design (informal) - There are reservations regarding the use of window vinyls, as the existing setup features minimal window vinyls. It would be preferable to resist adding them, as they can contribute to visual clutter on the frontage. However, if the vinyls provide vital information such as a contact number or address on the door, that is acceptable. Anything beyond that should be minimised as much as possible.

To conclude, the fascia sign and colour are acceptable, but it is recommended to reduce the window vinyls to key critical information only.

### **Representations**

No publicity is required for applications regarding signs and advertisements; however, the application was publicised on the Kirklees Council Website.

Advertisements are controlled with reference to their effect on amenity and public safety only and therefore, the application shall be determined considering the material considerations only.

### **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.

The site is located with the Batley Town Centre Conservation Area on the KLP.

### **Kirklees Local Plan (KLP):**

LP 24 – Design

LP25 – 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 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**

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.

### **Principle of Development**

The application relates to an advertisement consent. Adverts are acceptable as a matter of principle. Paragraph 141 of the NPPF (2023) states that advertisements should normally be subject to control only in the interests of amenity and public safety.

### **Impact on Amenity**

The proposal would be set back from Commercial Street and would be located in the same place as the existing advertisement on site.

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.*

*2. Proposals for the alteration of existing shop fronts or installation of new shop fronts and display of advertisements on a Listed Building or within a Conservation Area should preserve or enhance the character and appearance of the building, the area in which it is located and any features of architectural or historical interest. Existing traditional shop fronts shall be retained and restored unless exceptional circumstances apply. Proposals for new shop fronts and advertisements must be of a high standard of design and be appropriate in style, scale and materials to the building and its setting*

In the immediate vicinity of the proposed site is mixed use and several are occupied commercial units. Therefore, in principle, advertisements are considered acceptable as a function of the use of the building and the immediate surrounding area.

The dimensions of the proposed sign are as follows:

- Height: 1 metre
- Width: 6 metres
- Depth: 0.2 metres
- Height from the ground to the base of the advertisement: 3 metres
- maximum projection of the advertisement from the face of the building: 0.1 metres
- maximum height of any of the individual letters and symbols: 50 cm

Given these dimensions, and the non-illuminated nature of the proposal, the sign is considered acceptable as it is consistent with the surrounding street scene and character of the local area. In respect of the proposed window vinyls, the applicant has provided a justification for the need for these, and this relates to maintaining the privacy of customers. Given this, and the reversible nature of the vinyls, this aspect of the proposals is also considered to be acceptable. As such, the proposed advertisement is 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:  
consent**

**Grant advertisement**

**Decision Authorisation - Delegated Powers**

**Application Number:** 2024/93168

**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>
Proposed Elevations	Proposed sign		08-Nov-2024
Proposed Elevations	Proposed sign		08-Nov-2024
Existing Elevation	Existing sign		08-Nov-2024
Location Plan	Location Plan		08-Nov-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. Through the course of the application, further clarification was sought in relation to the material and colour of the signage and whether it would be illuminated or not.

**Report Dated:**

31<sup>st</sup> December 2024