



**Town and Country Planning Act 1990**

**Town and Country Planning (Control of Advertisement) Regulations 2007**

**CONSENT TO DISPLAY ADVERTISEMENT(S)**

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**Application Number: 2024/64/93308/W**

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**To:** A Nichitean  
Clear Channel UK Ltd  
Schoolhouse  
2nd Avenue  
Trafford Park Village  
Manchester  
M17 1DZ

**For:** A Nichitean, Clear Channel UK Ltd

**In pursuance of its powers under the above-mentioned Act and Order the KIRKLEES COUNCIL (hereinafter called "The Council") as Local Planning Authority hereby consents to:-**

ADVERTISEMENT CONSENT FOR ERECTION OF DOUBLE SIDED DIGITAL DISPLAY

**At:** ADJ, 18, HIGH STREET, HUDDERSFIELD, HD1 2LE

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**In accordance with the plan(s) and applications submitted to the Council on 19-Nov-2024, for a period of five years commencing on 14-Jan-2025 and expiring on 13-Jan-2030 subject to the condition(s) specified hereunder:-**

- 1) Before any advertisement is displayed on land pursuant to this consent, the permission of the owner of that land or other person entitled to grant permission in relation thereto shall be obtained.
- 2) All advertisements displayed and any land used for the display of advertisements shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

- 3) Any hoarding or similar structure, or any sign, board or device erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition to the reasonable satisfaction of the Local Planning Authority.
- 4) Where any advertisement is required under the above-mentioned regulations to be removed, the removal thereof shall be carried out to the reasonable satisfaction of the Local Planning Authority.
- 5) No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway (including any coastal waters) or aerodrome (civil or military).

**The reason in each case for imposing the numbered conditions above are:**

1/5) Conditions imposed by the above-mentioned regulations.

(Standard 5 advert conditions above)

6. The advertisements, images or messages displayed on the digital panel shall not change more than once every 10 seconds.

Reason: In the interest of amenity and public safety, to comply with the aims and objectives of LP21, LP24 and LP25 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

7. The intensity of the luminance of the advertisement display shall be controlled by the installation of a light sensor to adjust the illuminance levels to ambient light conditions.

Reason: In the interest of amenity and public safety, to comply with the aims and objectives of LP21, LP24 and LP25 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

8. Notwithstanding the requirements of condition 7, the intensity of the luminance of the advertisement display shall not exceed 300cd/m<sup>2</sup> on any part of the illuminated area in hours of darkness.

Reason: In the interest of amenity and public safety, to comply with the aims and objectives of LP21, LP24 and LP25 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

9. The digital panel hereby granted consent shall not display any moving images, animation, flashing scrolling or video and no visual effects shall accompany the transition between any successive advertisements, images or messages.

Reason: In the interest of amenity and public safety, to comply with the aims and objectives of LP21, LP24 and LP25 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule:-

<b>Plan Type</b>	<b>Reference</b>	<b>Version</b>	<b>Date Received</b>
Location plan	0703-0090	-	20/11/2024
Proposed site/block layout	0703-0090	-	20/11/2024
Proposed BSU Double digital Elevations	-	-	20/11/2024
Proposed BSU specifications	-	-	20/11/2024
Planning statement	-	-	20/11/2024
Application form	-	-	20/11/2024

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.

## **Development within a Coal Mining Area**

### **DEVELOPMENT HIGH RISK AREA - INFORMATIVE NOTE**

The proposed development lies within an area that has been defined by the Mining Remediation Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Mining Remediation Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure a suitable engineering design which takes account of all relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Mining Remediation Authority Policy in relation to new development and mine entries available at: [Building on or within the influencing distance of mine entries - GOV.UK](#)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Mining Remediation Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Application forms for Mining Remediation Authority permission and further guidance can be obtained from The Mining Remediation Authority's website at: <http://www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property>  
[What is a permit and how to get one? - GOV.UK \(www.gov.uk\)](#)

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

If any future development has the potential to encounter coal seams which require excavating, for example excavation of building foundations, service trenches, development platforms, earthworks, non-coal mineral operations, an Incidental Coal Agreement will be required. Further information regarding Incidental Coal Agreements can be found here - <https://www.gov.uk/government/publications/incidental-coal-agreement/guidance-notes-for-applicants-for-incidental-coal-agreements>

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Mining Remediation Authority on 0800 288 4242. Further information is available on the Mining Remediation Authority website at: [Mining Remediation Authority - GOV.UK](#)

#### **Details Reserved by Condition**

- **This permission has been granted subject to conditions. Some of the conditions may require you to submit further details. These conditions normally contain the wording “submitted to and approved in writing by the Local Planning Authority”.**
- **You can apply online for approval of these details at the Planning Portals website at [www.planningportal.gov.uk](http://www.planningportal.gov.uk). Alternatively the forms and supporting guidance for submitting an application can be found online at [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning).**
- **This Authority recognises the need to ensure that you are able to develop the site as effectively and flexibly as possible. However, at the same time it must ensure that development is in accordance with the terms of the planning conditions and legal agreement and the expectations of elected members and local residents set through the decision process.**
- **You should note the triggers for compliance with the conditions of this planning permission. This Authority is committed to processing applications to discharge conditions in a timely manner. It is important to ensure that submissions are made as far in advance of the trigger to allow time for adequate consultation, discussion and in some circumstances publicity.**
- **It is important that applications to discharge conditions are accompanied by sufficient information to enable this Authority and its consultees to fully consider and determine the proposals. Whilst officers will endeavour to negotiate solutions, failure to provide a comprehensive submission may result in delay and refusal of the application.**

- If you commence work without discharging conditions you are at risk of enforcement action and invalidating your permission if the planning condition is a pre commencement condition.

### **Appeals to the Secretary of State**

If you are aggrieved by the decision of your Local Planning Authority to grant this application subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

All advertisement appeals have to be submitted to the Secretary of State within 8 weeks of the date of issue of the Local Planning Authority's decision against which you are appealing.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://www.gov.uk/appeal-planning-decision>. Further information on the Planning Appeal process can be found online at the Planning Inspectorate's website <https://www.gov.uk/government/organisations/planning-inspectorate>.

You must use the correct Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the type of application that the appeal relates to so they can send you the appeal form you require.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted advertisement consent or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

An important part of improving our service is to review your feedback on the way that we have dealt with your planning application(s). Please take a couple of minutes to email your comments to [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) so that we can work on continually improving our customer service. Thank you.

**Dated:** 14-Jan-2025

**Signed:**



David Shepherd  
Strategic Director Growth and Regeneration

### **Decision Documents**

The decision notice indicates which documents relate to the decision. These documents can be viewed online at the Planning Services website at [www.kirklees.gov.uk/planning](http://www.kirklees.gov.uk/planning), and by clicking on the 'search and view existing planning applications and decisions' and by searching for application number 2024/64/93308/W.

If a paper copy of the decision notice or decided plans are required please email [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk) or telephone 01484 414746 with the application number. There may be a charge for this service.

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All communications should be sent to one of the following address:

**E-mail:** [dc.admin@kirklees.gov.uk](mailto:dc.admin@kirklees.gov.uk)

**Write to:** Kirklees Council  
Planning and Development Service  
PO Box 1720  
Huddersfield  
HD1 9EL

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