

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:	2024/64/93530/W
Site Address:	Kingsgate Centre, King Street, Huddersfield, HD1 2QB
Description:	Advertisement Consent for erection of illuminated and non-illuminated signs (within a Conservation Area)
Recommending Officer:	Joanna Rednall

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.

John Holmes

AUTHORISED OFFICER

Date: 11-Feb-2025

Site Description

The Kingsgate Centre is on the south-eastern edge of Huddersfield Town Centre. To the west the application site fronts onto the bottom of Kings Street and Zetland Street, which mostly host restaurant and drinking establishments. The Kingsgate's Zetland Street elevation hosts an entrance, a mixture of blank and glazed elevations, the service and car park entrances. To the south and east of the site is Huddersfield Town Centre's ring-road and Shorehead Roundabout.

The site is partially within Huddersfield Town Centre Conservation Area.

Description of Proposal

Advertisement Consent for erection of illuminated and non-illuminated signs (within a Conservation Area)

Sign A:

- Non illuminated
- 2.8m x 1.2m
- Built up letters with 80mm returns painted black
- White text with bubbles over "I" to have orange vinyl applied to perspex
- Folded aluminium box below painted orange with vinyl detail applied to the face
- Letters and box mounted onto radiused 50x25mm box section frame painted black

Sign B:

- Externally illuminated via trough light
- 4.5m x 1.9m
- Built up letters with 80mm returns painted black
- Bonded perspex faces
- White text with bubbles over 'I' to have orange vinyl applied to perspex
- Folded aluminium box below painted orange with vinyl detail applied to the face.
- Letters and box mounted onto radiused 50x25mm box section frame painted black
- Frame work fixed to steel column via 10mm steel plate

Sign C:

- Internally illuminated
- 5m x 3.8m
- Folded aluminium panels with 100mm returns painted dark blue
- Fret cut detail backed with opal perspex to illuminate, via white LED
- White text with orange vinyl applied to the bubbles of letter 'I'
- Fret cut lozenge to have black and orange vinyl applied

Sign D:

- Internally illuminated
- 3.8m x 1.3m
- Folded aluminium panel with 100mm returns painted dark blue
- Fret cut detail backed with opal perspex to illuminate, via white LED
- White text with orange vinyl applied to the bubbles of letter 'I'
- Fret cut lozenge to have black and orange vinyl applied

Sign E:

- Externally illuminated (uplighters)
- 5m x 3.8m
- Folded aluminum panels with 100mm returns painted dark blue
- Vinyl applied to the face

History of negotiations/amendments received

After consulting with KC Conservation and Design, revised plans were requested to provide justification and amendments to the scheme as proposed. The agent responded with amended plans which will be discussed in the following report.

Relevant Planning History

The most relevant planning history relates to the following planning applications:

2024/91169 Alterations to existing building facade, removing existing glazed shopfronts and replacement with new shopfronts and entrances
Conditional full permission

2024/93213 Remodelling of facade to form new shopfronts serving proposed internal restaurants and new external ducts to serve restaurant units
Conditional full permission

Representations

We are currently undertaking the legal statutory publicity requirements, as set out at Table 1 in the Kirklees Development Management Charter. As such, we have publicised this application via, site notice and newspaper advertisement.

Final publicity date expired 31st January 2025

The amended plans were not re-publicised as these did not fundamentally change the development applied for; the description of development was updated to include the amendment of non-illuminated signs to the proposal.

Consultations

KC Conservation and Design – Raised some concerns on the proposed signage scheme. Amended plans were received to address the concerns.

KC Highways DM – No objections.

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 partially located within Huddersfield Town Centre on the Kirklees Local Plan.

Kirklees Local Plan (KLP):

- LP 1 – Achieving sustainable development
- LP 2 – Place shaping
- LP 21 – Highway safety and access
- LP 24 – Design
- LP 25 – Advertisements and shop fronts
- LP 35 – Historic environment

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 4 – Decision making
- Chapter 12 – Achieving well-designed places
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 – Conserving and enhancing the historic 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 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.

With regards to location of the site within a Conservation Area, Policy LP35 of the Kirklees Local Plan and Chapter 16 of the NPPF are relevant.

The site is located within Huddersfield Town Centre with a range of existing signage in the immediate area. The proposed signage consists of 5 illuminated and non-illuminated signs to advertise The Light within the Kingsgate Centre and is small in terms of size and scale and is spaced out around the building and would not appear overbearing or overly prominent when viewed in the context of the application building. Therefore, the principle of signage is considered acceptable as a function of the use of the site and the immediate surrounding Local Centre area.

Discussions have taken place with the Council's Conservation and Design officer who raised initial concerns with the proposed works as submitted. This is because the application site is partially located within the conservation area, and as such, careful consideration must be given to the potential impact on its setting, along with any potential impact on nearby listed buildings.

Officers consider signs C and D would have an acceptable impact upon the Conservation Area or nearby heritage assets. Sign C is positioned away from

the conservation area and listed buildings, and therefore is not considered to pose harm to their setting. Turning to sign D, the applicant has confirmed this will replace the existing House of Fraser signage on the same elevation. As sign D would replace existing signage of similar proportions, officers consider this sign would have an acceptable impact on the street scene and nearby heritage assets.

With regard to sign B and E, Conservation officers raised concerns due to its sensitive location in conjunction with nearby listed buildings and requested justification for the introduction of internally illuminated signage on this elevation. The applicant has clarified that Sign B is intended for the main entrance of The Light, and the proposed plans show sign B will replace the existing House of Fraser signage on this elevation. In response to these concerns, the applicant has revised the proposal amending signs B & E to be externally illuminated via trough lighting, which is considered to be a less prominent form of illumination and suitably addresses the concerns raised by conservation officers. The amendment from internally to externally illuminated signage to this elevation is considered to be visually appropriate and neither overly oppressive or harsh and would not create a stark feature within the street scape.

In addition, the host building already has an established commercial use and has functioned as a shopping center for a significant amount of time with relevant signs to advertise this on the building. The submitted elevations show signs B and D would replace existing House of Fraser signage. As such, the proposed signs will harmonise with the new business use of the building and therefore, it is concluded that the signage would not appear out of keeping or negatively prominent within the wider street scene.

Sign A is proposed to a prominent location within Huddersfield Town Centre Conservation Area. Initially, Sign A consisted of an internally illuminated sign; however, this illumination has been removed and the sign is proposed as non-illuminated. As a result, sign A's proposed design and scale are considered to be in keeping with the character of the conservation area and wider street scene. Cross Church Street is characterized of commercial units featuring a variety of non-illuminated signage and window displays, therefore the introduction of Sign A would appear sympathetic and in keeping with the character of the street scene.

Sign C is considered to have an acceptable visual impact and Conservation officers have raised no concerns about its impact on heritage assets. Sign C is internally illuminated fascia sign comprising white text on a blue and orange background. This sign would be facing Shorehead Roundabout where there are examples of existing signage. As such, given the small scale of this sign

in relation to the host building, Sign C would not have a wholly negative impact on the wider street scene or upon the character and appearance of the conservation area.

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

As such, the proposed illuminated and non-illuminated signage would not compete with the host building and would not have a wholly negative impact on the wider street scene or upon the preservation of the character and appearance of the conservation area. As such, the proposed advertisements are considered to comply with the aims of the NPPF and Policies LP24, PLP25 and PLP35 of the Local Plan in terms of achieving good design and well-designed places.

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.

In this instance, the signs will be a combination of illuminated and non-illuminated and are limited in size when viewed in the context of the application building. The Council's Highway Development Management officers have been consulted during the course of this application and have raised no concerns to the proposed scheme. Therefore, it is considered that the advertisement does not give rise to any adverse effect on highway safety since it does not have the effect of unduly distracting highway users, nor does it interfere with visibility or hinder the interpretation of road signs or signals. It therefore does not conflict with the aims of LP21.

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: 2024/93530

Officer Recommendation: Grant advertisement consent

Conditions

Standard 5 advert conditions

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
The Light – Kingsgate Centre Shopping Centre	-	-	16/12/2024
Elevations	105 – 06 - 01	B	06/02/2025
Cross Church Street specification	105 – 06 – 02	B	06/02/2025
King Street Specification	105 – 06 – 03	B	06/02/2025
Shorehead Roundabout specification	105 – 06 – 04	A	16/12/2024
Bradley Street specification	105 – 06 - 05	A	16/12/2024
Queensgate Specification	105 – 06 – 06	B	06/02/2025
Application form	-	-	16/12/2025

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. After consulting with KC Conservation and Design, revised plans were requested to provide justification and amendments to the scheme as proposed.

Report Dated: 10th February 2025