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:	**2025/64/90653/W**
Site Address:	The Co Operative Food, 6, Peel Street, Marsden, Huddersfield, HD7 6BR
Description:	Advertisement Consent for erection of digital display screen (within a Conservation Area)
Recommending Officer:	Molly Storer

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: 07-Jul-2025

Site Description

The application site relates to The Co Operative Food, 6, Peel Street, Marsden, Huddersfield, HD7 6BR.

The site is located on the corner of Peel Street and Market Place. The building is three-storeys constructed of stone with finely tooled stonework to the principle elevations. A small access is located to the rear of the site from Market Place. The site is located within the Marsden conservation area. The property is in the town centre within a mixture of retail and residential properties that are all different in terms of type, age and style.

Description of Proposal

Permission is sought for advertisement consent for erection of digital display screen (within a Conservation Area).

The display screen is proposed to be located to the south of the building on the elevation which is adjacent to Market Place. It will be located inside the store and will measure 0.968m in height, 0.556m in width and 76mm in depth. It will be set 0.832m from the ground level and will be constructed from aluminium, perspex and glass. The colouring of the sign will be a black background with a visual display that will alternate different images. It will be internally illuminates with a maximum illuminance level of 700cd/m^2

History of negotiations/amendments received

The agent was contacted following informal discussions with Conservation officers who stated the display screens should set back away from the front of the window. Originally it was suggested that it should be 500mm from the window however it was agreed that 400mm would be acceptable.

Relevant Planning History

2000/93277 – Erection of 3 illuminated signs and 2 non-illuminated signs (within a Conservation Area)

2001/90281 – Erection of illuminated projecting sign and ATM surround (within a Conservation Area).

2008/90197 – Erection of illuminated and non-illuminated signs (within a Conservation Area). Advertisement Consent Granted.

2007/94479 - Erection of illuminated and non-illuminated signs (within a Conservation Area). Advertisement Consent Granted.

2019/92208 - Redecoration of shop front windows and doors, installation of new louvres to side of store at first and second floors, installation of

one new condenser and Key Klamp protection in rear yard (within a Conservation Area) – Conditional Full Permission.

2024/92323 - Installation of plant with ventilation and key klamp protection in rear yard (within a Conservation Area) – Conditional Full Permission.

Representations

No publicity required

Representations received: Not required for publication.

Parish/Town Council – not applicable

Consultations

K.C. Conservation and Design – No objections recommends sign set back to protect the character of the Conservation Area.

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 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 the 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 a local centre with a range of existing signage in the immediate area. The proposed sign is for the continued branding of the building to advertise offers and products sold in the shop. At 0.968m x 0.556m the display screen is small in terms of size and scale and is modest in relation to the shop size. Therefore, the sign is considered acceptable as a function of the use of the site and the immediate surrounding Local Centre area.

In addition, the host building already has an established commercial use and has functioned as a shop for a significant amount of time with relevant signs to advertise this on the building.

Although, the proposed plans show additional signage in the form of a digital display, this is minimal and it is noted that there have been multiple permissions already in place for illuminated signs at the shop. As such, the proposed signs will harmonise with the 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.

K.C. Conservation and Design have been informally consulted as part of this assessment and after the agent agreed to set the sign back 400m from the window it was considered that the works would preserve the setting of the Conservation Area and would be in keeping with the character of the building. A condition ensuring this set back is achieved, and that the sign is not illuminated when the premises is closed to the public is recommended to ensure the impact of the sign is reduced.

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.

It is therefore deemed to comply with the aims of Policies LP24(a) and LP35 of the Kirklees Local Plan, Policy 4 of the Holme Valley NDP, and Chapters 12 and 16 of the NPPF.

<u>Public Safety:</u>

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 limited size and are to be located on a road where branding and advertisement 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.

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: 2025/90653

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions

6. Notwithstanding the submitted plans, the sign hereby approved shall not be illuminated until it has been set back from the window of the shop by at least 400mm and retained at this distance thereafter.
Reason: In the interest of preserving the heritage value of the Conservation area, in accordance with the requirements of Policies LP24 and LP35 of the Kirklees Local Plan and policies within Chapters 2, 12 and 16 of the National Planning Policy Framework.

7. The sign hereby approved shall only be illuminated whilstever the premises is open to the public.
Reason: To reduce the impact of the sign upon amenity and the Conservation area, in accordance with the requirements of Policies LP24 & LP35 of the Kirklees Local Plan and policies within Chapters 2, 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location plan	PP-13712238v1	-	11/03/2025
Site location plan	31905v38 03	-	19/03/2025
Existing and Proposed Elevations	31905v38 02	-	19/03/2025
Digital Screen Totem and Floor Plan	31905v38 01	-	19/03/2025
Application form	-	-	11/03/2025

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 2025 and otherwise actively engaged with the applicant in dealing with the application. The agent was contacted following informal discussions with Conservation officers and subsequently agreed to increase the extent the sign is set back.

Report Dated: 8th July 2025