

**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:	2025/64/91381/W
Site Address:	Foot Asylum, 33-37, King Street, Huddersfield, HD1 2PZ
Description:	Advertisement Consent for erection of illuminated fascia signs (Listed Building within a Conservation Area)
Recommending Officer:	Nicole Helliwell

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: 07-Aug-2025

Officer Report

Reference No. 2025/64/91381E

Site Address: Foot Asylum, 33-37, King Street, Huddersfield, HD1 2PZ

Proposal: Advertisement Consent for erection of illuminated fascia signs (Listed Building within a Conservation Area)

Site Description

The application relates to Foot Asylum, 33-37, King Street, a commercial building located on King Street in Huddersfield. The property was constructed early 19th Century and is Grade II listed. The surrounding area comprises commercial properties of similar materials and architectural styles. There are no Public Rights of Way within immediate proximity. However, the site is located within the Huddersfield Town Centre Conservation Area and adjacent to a number of other Grade II listed buildings.

Description of Proposal

The application seeks advertisement consent for the installation of several illuminated fascia signs. The details of the proposed signage as outlined on the application form and plans can be found below:

Elevation A - Fascia Sign (Chopstix Noodle Bar)

- Dimensions of the proposed advertisement: Height 0.765m x Width 2.344m
- Maximum Height of any of the individual letters and symbols: 0.765m
- Colour of text and background: Semi-translucent ruby red (3003) and semi-translucent green (6018) on opaque black surround
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m²
- It would be static and internally illuminated

Elevation A Fascia Sign (For the Flavour Cravers)

- Dimensions of the proposed advertisement: Height 0.804m x Width 3.2m
- Maximum Height of any of the individual letters and symbols: 0.273m
- Colour of text and background: Semi-translucent ruby red text (3003) and outline white text
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m²

- It would be static and internally illuminated

Elevation C - Fascia Sign (Chopstix Noodle Bar)

- Dimensions of the proposed advertisement: Height 0.765m x Width 2.345m
- Maximum Height of any of the individual letters and symbols: 0.765m
- Colour of text and background: Semi-translucent ruby red (3003) and semi-translucent green (6018) on opaque black surround
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m²
- It would be static and internally illuminated

Elevation C Fascia Signs (For the Flavour Cravers)

- Dimensions of the proposed advertisement: Height 0.804m x Width 3.2m
- Maximum Height of any of the individual letters and symbols: 0.274m
- Colour of text and background: Semi-translucent ruby red text (3003) and outline white text
- Materials: Backlight acrylic box sign fixed to white dibond fascia panel
- Maximum projection of advertisement from the face of the building: 0.12m
- Illuminance levels: 650 cd/m²
- It would be static and internally illuminated

History of negotiations / amendments received

Amendments were sought during the course of the application to address inconsistencies with the illuminance levels on the drawings. KC Conservation and Design queried the use of window vinyls and whether the whole fascia would be illuminated. However, the agent has since confirmed that only the lettering/logo would be illuminated and that the windows would have plain glazing with no window vinyls. KC Conservation and Design also asked for the white fascia and red signage on Cross Church Street to be omitted, however, the agent clarified that the white fascia functions as a structural bridge between the two existing build-outs that enclose and protect the original iron downpipes. Given the justification provided, Officers considered that no further amendments were required.

Relevant Planning History

- **2024/91393:** Listed Building Consent for replacement windows (within a Conservation Area). [Planning application details | Kirklees Council](#) – Consent Granted

- **2018/92383:** Erection of illuminated signs (Listed Building within a Conservation Area). [Planning application details | Kirklees Council](#) - Advertisement Consent Refused
- **2018/92382:** Listed Building Consent for erection of illuminated signs. [Planning application details | Kirklees Council](#) – Consent Refused
- **2018/91143:** Listed Building Consent for erection of illuminated signs. [Planning application details | Kirklees Council](#) – Consent Refused
- **2018/90486:** Erection of illuminated signs (Listed Building within a Conservation Area). [Planning application details | Kirklees Council](#) - Advertisement Consent Refused
- **2014/90552:** Listed Building Consent for installation of internal roller shutter to main entrance (within a Conservation Area). [Planning application details | Kirklees Council](#) - Consent Granted
- **2013/93858:** Erection of 2 externally illuminated fascia signs, 1 non-illuminated fascia sign, 1 externally illuminated hanging sign and 5 window signs (Listed Building within a Conservation Area). [Planning application details | Kirklees Council](#) – Advertisement Consent Granted
- **2013/93511:** Listed Building Consent for Installation of replacement shop facade including new entrance door, internal alterations and installation of new refrigeration equipment (within a Conservation Area). [Planning application details | Kirklees Council](#) - Consent Granted
- **2013/93510:** Alterations to the shop front including new entrance door, internal alterations and installation of new refrigeration equipment (Listed Building Consent within a Conservation Area). [Planning application details | Kirklees Council](#) – Conditional Full Permission
- **2000/92667:** Listed building consent for erection of illuminated fascia and projecting signs (within a conservation area). [Planning application details | Kirklees Council](#) – Consent Refused
- **2000/92444:** Erection of illuminated fascia and projecting signs (listed building within a conservation area). [Planning application details | Kirklees Council](#) – Advertisement Consent Refused (Appeal Upheld)
- **96/92063:** Listed building consent for demolition, alterations and internal alterations in materials to match existing (within conservation area). - Consent Granted

Representations

No publicity is required for applications regarding signs and advertisements.

Consultation Responses

[KC Environmental Health](#) – No objection

[KC Conservation & Design](#) - No objection subject to the requested amendment

Policy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory Development Plan for Kirklees is the Local Plan (adopted 27th February 2019).

The site is UNALLOCATED on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **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 12** - Achieving Well-Designed Places
- **Chapter 16** - Conserving and Enhancing the Historic 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 Kirklees Local Plan sets out that the display of advertisements will only be permitted if they satisfy the following criteria:

- The design is consistent with the character of the existing building in terms of scale, quality and use of materials;

- Proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest

Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness. Proposals within Conservation Areas should conserve those elements which contribute to their significance.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal would see several internally illuminated fascia signs installed to the eastern and southern elevations of the unit. Although the advertisements would have some visibility from public vantage points, they would be appropriate to the context of the site and would not give rise to any visual amenity harm.

KC Environmental Health were informally consulted on the proposed scheme. The application concerns 4 internally illuminated advertisements which are static in nature. The application confirms an illuminance level of 650cd/m². Officers have reviewed this application and do not consider there to be any significant Environmental Health impacts with this development. KC Environmental Health advise the applicant that generally, to minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the "Guidance Note 01/21 for the Reduction of Obtrusive Light" by the Institution of Lighting Professionals: 2021 www.theilp.org.uk. Kirklees Council has powers under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Furthermore, it is noted that the application site is located within the Huddersfield Town Centre Conservation Area and is Grade II listed. As such, KC Conservation and Design were informally consulted on the proposal. KC Conservation and Design queried the use of window vinyls and whether the whole fascia would be illuminated. However, the agent confirmed that only the lettering/logo would be illuminated and that the windows would have plain glazing with no window vinyls. KC Conservation and Design also asked for the white fascia and red signage on Cross Church Street to be omitted from the scheme, however, the agent clarified that the white fascia functions as a structural bridge between the two existing build-outs that enclose and protect the original iron downpipes. Although the advertisements proposed would be located within a prominent location, the signage would not result in any detrimental harm to the significance of the setting of the Conservation Area and the listed buildings and would be acceptable in this regard.

In this instance, it is considered that the proposed signage, due to its position, design, and scale, would not result in any detriment to amenity or public safety. As such, the proposed advertisement is considered to comply with Policies LP24, LP25 and LP35 of the Kirklees Local Plan in terms of achieving good design and well-designed places and the National Planning Policy Framework.

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: 2025/91381

Officer Recommendation: Grant Advertisement Consent

Conditions and Reasons

Standard 5 advert conditions

6. At no time shall the luminance level of the signs hereby approved exceed the values defined 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: To avoid excessive glare and light spill, and to minimise distraction to road users, in accordance with the aims of Policies LP21 and LP25 of the Kirklees Local Plan and the National Planning Policy Framework.

7. The signs hereby approved shall only be illuminated whilst the premises are 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	Revision	Date Received
Location Plan	PP-14030347v1	-	19/05/2025
Block Plan	9641-022	PL0	19/05/2025

Plan Type	Reference	Revision	Date Received
Existing Elevations	A-HYP-ZZ-00-D-A-021	PL0	19/05/2025
Proposed Elevations	A-HYP-ZZ-00-D-A-200	T2	24/07/2025
Signage Detail	A-HYP-ZZ-00-D-A-502	PL0	24/07/2025

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 2024 and otherwise actively engaged with the applicant in dealing with the application. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable.

Report Dated: 04/08/2025