

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:	2025/64/92270/W
Site Address:	27, Market Place, Huddersfield, HD1 2AD
Description:	Advertisement Consent for erection of illuminated signs (Listed Building within a Conservation Area)
Recommending Officer:	Joshua Merriman

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: 28-Nov-2025

Site Description

The application site refers to 27, Market Place, Huddersfield, HD1 2AD, a three-storey Grade II Listed Building in the Huddersfield Town Centre Conservation Area.. The application property is located in a slightly varied street scene, with buildings of slightly differing sizes and scales, and with lesser detail and differing style of shopfront.

Description of Proposal

Advertisement consent is sought for erection of illuminated signs (Listed Building within a Conservation Area).

The proposed sign relates to 'Nobles Casino Gaming' who are currently occupying the unit.

History of negotiations/amendments received

The case officer determined the initially submitted plans to be unsympathetic to the Conservation Area and Listed Building, therefore, it was requested that all colourful vinyl patterns and graphics were removed, as well as gambling related slogans to preserve as appropriate appearance as possible on such an attractive building. As a result, amended plans were submitted by the applicant, including a single block colour vinyl in a sympathetic dark blue colour, and the removal of any incongruous graphic features. Digital displays were also included in each window of the front elevation, and these were stipulated to be set back and match the displays of other similar natured shops in the town centre to appear less visually intrusive.

Relevant Planning History

2023/93559 - Alterations to convert upper floors to 8 flats (Listed Building within a Conservation Area) – Conditional Full Permission.

2023/93560 - Listed Building Consent for alterations to convert upper floors to 8 flats (within a Conservation Area) – Consent Granted.

2023/93615 - Change of use to an Adult Gaming Centre (Sui Generis) (Listed Building within a Conservation Area) – Conditional Full Permission.

Representations

No publicity required

Representations received: None

Parish/Town Council – not applicable

Consultations

KC Conservation & Design – The amendments to the scheme have made the proposal acceptable. 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 without notation on the Kirklees Local Plan.

Kirklees Local Plan (KLP):

LP 1 – Achieving sustainable development
LP 2 – Place shaping
LP 24 – Design
LP25 – Advertisements and shop fronts
LP30 – Biodiversity & Geodiversity
LP35 – Historic Environment
LP53 – Contaminated and unstable land

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 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”.

Policy LP35 of the Kirklees Local Plan requires that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensure they are appropriately conserved, to the extent warranted by their significance, also having regard to the wider benefits of development. Consideration should be given to the need to ensure that proposals maintain and reinforce local distinctiveness and conserve the significance of designated and non-designated heritage assets.

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.

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 (Paragraph 068 Reference ID: 18b-068-20140306).

Within the proposed shopfront there will be four digital screens each approximately 670mm x 240mm. Above each screen, a blue vinyl display showing the wording 'Nobles Casino Gaming' will measure approximately 1500mm x 500mm, and finally a fascia sign above the entrance to the building will also detail 'Nobles Casino Gaming' and measure 0.24m x 0.67m x 0.06m.

The proposed fascia sign will be internally illuminated.

The option to reduce the number of digital displays in the shopfront from four to two was explored, however, it was agreed with the applicant that this may give the business a 'less open' look and was therefore agreed that the four displays could remain.

Conditions have been added to the end of this report detailing that there must be no special effect during advertisement, between advertisement, and that the display shall not change more than once every ten seconds. This is in the interests of highway safety and protecting the visual amenity of the Huddersfield Town Centre Conservation Area.

The signs outlined above are of an acceptable design and scale that is consistent with the surrounding street scene and character of the local area. All advertisements proposed are of an adequate scale.

As such, the proposed advertisements are considered to comply with paragraph 132 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: 2025/92270

Officer Recommendation: Grant advertisement consent

Conditions and Reasons

Standard 5 advert conditions

6. There shall be no moving images or special effects (including noise, smell, smoke, animation, flashing, scrolling, three-dimensional, intermittent or video elements) of any kind during the time that any message is displayed.

Reason: In the interests of Highway Safety, and to comply with Policies LP1, LP2, LP21, and LP35 of the Kirklees Local Plan, and Chapters 12 and 16 of the National Planning Policy Framework.

7. The interval between successive displays shall be instantaneous (0.1 seconds or less), the complete screen shall change, there shall be no visual effects (including fading, swiping or other animated transition methods) between successive displays and the display will include a mechanism to freeze the image in the event of a malfunction).

Reason: In the interests of Highway Safety, and to comply with Policies LP1, LP2, LP21, and LP35 of the Kirklees Local Plan, and Chapters 12 and 16 of the National Planning Policy Framework.

8. The display shall not change more than once every 10 seconds, the use of message sequencing for the same product is prohibited and the advertisements shall not include features or equipment which would allow interactive messages or advertisements to be displayed.

Reason: In the interests of Highway Safety, and to comply with Policies LP1, LP2, LP21, and LP35 of the Kirklees Local Plan, and Chapters 12 and 16 of the National Planning Policy Framework.

NOTE: The applicant is advised that under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2018, the developer is required to take account of the timing of works in relation to the bird breeding season. An inspection to check for the presence of nesting birds is advised if demolition and/or site/vegetation clearance works are likely to take place during the bird breeding season (1st March to 31st August inclusive). If swifts are discovered on site development shall cease and the applicant is advised to contact Natural England for advice.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	-	-	12/08/2025

Plan Type	Reference	Version	Date Received
Shopfront Schedule	-	-	24/11/2025
Application Forms	-	-	12/08/2025
Google Maps	-	-	12/08/2025

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. No amendments were sought as it was considered that the proposal was acceptable as submitted.

Report Dated:

25/11/2025
