

**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:	2025/64/93137/W
Site Address:	opp, 36, New Street, Huddersfield, HD1 2BU
Description:	Advertisement Consent for one internally illuminated sign (within a Conservation Area)
Recommending Officer:	Joanna Rednall

DECISION – REFUSE ADVERTISEMENT CONSENT

I hereby authorise the refusal 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: 06-Jan-2026

Site Description

The site of the application is within the pedestrianised part of New Street, approximately 55m south of the junction with King Street and 30m from the entrance to Lockwood Yard, a narrow passageway leading to Victoria Lane. The site is located within Huddersfield Town Centre Conservation Area and is adjacent to a row of Grade II Listed Buildings (34, 36 and 40 New Street).

Description of Proposal

Consent is sought for installation of one internally illuminated sign (within a Conservation Area).

The advertisement is proposed to one side of a digital communications kiosk. The measurements of the screen are as follows:

- 1.6m height
- 0.9m width

The LCD display will feature static text and images that change every ten seconds, with internally illuminated content at an illuminance level of 2,500 cd/m², and the illumination will be static.

History of negotiations/amendments received

No amendments were sought as it was considered that they would not overcome the harm of the development.

Relevant Planning History

None

Representations

No publicity required

Consultations

K.C. Conservation & Design – The proposal would not preserve or enhance the setting 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 24 – Design
LP25 – Advertisements and shop fronts
LP35 – 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 July 2021, 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

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.

The site is located within Huddersfield Town Centre Conservation area therefore Policy LP35 of the Local Plan and Chapter 16 of the NPPF are relevant.

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.

The proposal seeks consent for a 1.6 m × 0.9 m advertisement to be displayed on a communications kiosk outside 36, New Street. The signage would face directly onto New Street, placing it in a highly visible and prominent location.

K.C. Conservation and Design have been consulted during the course of the application due to the site's location within the Huddersfield Town Centre Conservation Area and the proximity of Grade II Listed Buildings to the site. The supporting Planning Statement acknowledges that while the site lies within the Conservation Area and within a primary shopping area, where business-related signage is common, officers consider that illuminated advertisements of this scale and nature are uncommon and would appear visually incongruous within the streetscape. Conservation officers have raised concerns regarding the potential impact of the proposed advertisement on the character of the Conservation Area. Although the surrounding area is largely commercial, the signage would disrupt the existing streetscape and introduce an unsympathetic and intrusive element that is out of keeping with the historic character of the Huddersfield Town Centre Conservation Area. In addition, the advertisement would add to the existing visual clutter of the communications

kiosk, further exacerbating harm to the Conservation Area by detracting from its historic setting.

It is noted that there are already 2 other free-standing structures with changing digital displays, positioned directly north and south of the proposed kiosk. It is considered that the proposed kiosk and display screens would, both individually and cumulatively, add further visual clutter to the street and would therefore undermine the aims of LP35.

In this context, it is considered that the installation of internally illuminated signage would cause less-than-substantial harm to the significance of the Conservation Area.

In accordance with Paragraph 215 of the National Planning Policy Framework (NPPF), when a development proposal is likely to cause less than substantial harm to a designated heritage asset, that harm must be weighed against the public benefits of the proposal. In this case, the installation of illuminated advertisement at opp, 36, New Street may offer benefits to the advertising business by enhancing its visibility and optimising its commercial use. However, it is concluded that the public benefit of approving the proposal does not outweigh the potential harm to the significance and character of the designated heritage asset.

For this reason, it is concluded that the public benefit of approving the proposal does not demonstrably outweigh the potential harm to the significance and the character of the designated heritage asset.

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).

In this instance, the proposed kiosk is in a pedestrianised zone and therefore the potential for driver distraction is minimal. Since it would not be located on or near a junction of roads used by vehicular traffic, nor a signalised pedestrian crossing, it would neither affect sight lines nor interfere with signal interpretation. It is considered that the display will not cause undue distraction or confusion to highway users, or lead to an increase in the risk of accidents.

The proposals therefore do not conflict with the aims of LP21 of the Kirklees Local Plan but do conflict with Policies LP24 (a), LP25 1 (a) and (b) and LP35 of the Kirklees Local Plan, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policies within Chapters 12 and 16 of 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 not constitute sustainable development and is therefore recommended for refusal

**Recommendation
consent**

Refuse advertisement

Decision Authorisation - Delegated Powers

Application Number: 2025/93137

Officer Recommendation: Refuse advertisement consent

Reasons

1. The proposed advertisement, by virtue of its scale, illumination and prominent location, would form a visually jarring, intrusive and incongruous feature within the street scene, to the detriment of visual amenity and would fail to preserve the setting of Huddersfield Town Centre Conservation Area. The proposal would result in less than substantial harm to its significance of which sufficient public benefits have not been demonstrated to outweigh the proposed harm. To permit such development would be contrary to Policies LP24 (a), LP25 1 (a) and (b) and LP35 of the Kirklees Local Plan, Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and Policies within Chapters 12 and 16 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Location Plan	4906-001-004A	-	11/11/2025
Site Plan	4906-001-004B	-	11/11/2025
Elevations	NWP-KIOSK/001	-	11/11/2025
New Communications Kiosk - Overview and Specification. Dated August 2024	-	-	11/11/2025
New Communication Kiosk Management Plan. Dated October 2025.	-	-	11/11/2025
Planning, Design &		-	11/11/2025

Plan Type	Reference	Version	Date Received
Heritage Statement. Dated November 2025			
Application form		-	11/11/2025
Community Infrastructure Levy (CIL) - Form 1: CIL Additional Information		-	11/11/2025

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2024 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 they would not overcome the harm of the development.