

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:	2026/64/91800/W
Site Address:	747, Manchester Road, Linthwaite, Huddersfield, HD7 5QQ
Description:	Advertisement Consent for installation of illuminated advertising display (within a Conservation Area)
Recommending Officer:	Ellen Gilbert

DECISION – REFUSED

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.

John Holmes

AUTHORISED OFFICER

Date: 24-Aug-2026

Site Description

The application site relates to 747, Manchester Road which is adjacent to a commercial garage with associated vehicle storage. The Site is bound to the north by Manchester Road, east by vegetation, south by vegetation and west by a car dealership and associated storage of vehicles. The application site sits within Linthwaite Conservation Area.

Description of Proposal

Consent is sought for an illuminated, static paper paste advertising display. The proposal panel will measure 12m(w) x 3m(h) x 0.061m (d) and positioned 0.75m above ground. The proposed display will present two-dimensional, static poster-based images. Illumination of the signage by static external illumination is proposed.

Full specifications have been included within the submitted application form, alongside a site plan, location plan, specification drawing and a supporting planning statement.

History of negotiations/amendments received

None

Relevant Planning History

2025/90034 - Advertisement consent for installation of one digital advertising display (D-Poster) (within a Conservation Area) – Refused 8th July 2025 for the following reason:

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 Linthwaite Conservation Area, causing 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.

The above listed application for advertisement consent (ref. 2025/64/90034/W) was for a modern format D-Poster. This application was the subject of an Appeal (ref: APP/Z4718/Z/25/3364743) that was dismissed by the Planning Inspectorate (PINS).

Representations

No publicity required

Consultations

KC Conservation and Design- Given the scheme the subject of this application is of a similar nature to application 2025/90034, KC Conservation and Design were consulted in the determination of this case, and it was concluded that the proposal would not preserve or enhance the setting of the Conservation Area, as discussed in the assessment below.

KC Highways- Within the consideration of application 2025/90034 the Council's highways Team raised no objection to that proposal. Given the scheme the subject of this application is of a similar nature it is considered their comments are applicable in the determination of this case.

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 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 December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

A consultation draft of the National Planning Policy Framework (the Framework) was published on 16 December 2025. As a consultation, the document is at an early stage and subject to change. Accordingly, for the purposes of this application, no weight is given to the current consultation document.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications. Policies in the following chapters are of relevance:

- Chapter 14 – Achieving well-designed places

- Chapter 20 – 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 sets out that proposals should retain those elements of the historic environment which contribute to the distinct identity of the Kirklees area and that consideration should be given to ensure proposals maintain or enhance this.

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.

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;
- b. 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 14 of the NPPF set out that development should be of an acceptable design. Policy DP3(1) of the NPPF sets out that proposals should respond to their context (the history, character

and features of their site and its setting), so that they integrate with and enhance their surroundings.

Policy DP3(3) of the NPPF sets out that development proposals should be refused if, without clear justification, they conflict with paragraph 1 of this policy or relevant aspects of the principles in paragraph 2, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals.

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.

Section 72 of the Town & Country Planning (Listed Buildings & Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character of appearance of Conservation Areas. This is echoed within policy LP35 of the Kirklees Local Plan and Chapter 20 of the NPPF. The objective of Chapter 20 of the NPPF is set out as being to conserve and enhance the historic environment.

Policy HE4(2) of the NPPF sets out that any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should have a clear and convincing justification in accordance with the policies in this chapter. HE6(4) confirms where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.

The proposal seeks to fix a two-dimensional, paper paste advertising display measuring 12m(w) x 3m(h) x 0.061m (d) and positioned 0.75m above ground. The display will be externally illuminated. The display is situated adjacent to Manchester Road and will be highly visible to pedestrians and road users, given its highly prominent location along the main road. The proposal would sit in front of a large tree covered embankment which runs along the A62. The embankment has been deemed as making a positive contribution to the streetscape and visual appearance of the Conservation Area by the Planning Inspectorate in their consideration of the appeal to previous refusal 2025/90034.

It is acknowledged that the applicant has amended certain elements of their original proposal, such as the use of paper paste advertising (as opposed to digital) in response to the refusal reasons outlined in the previous application (Ref: 2025/64/90034/W). However, as the previous refusal reasoning outlined, there is no record of advertising consent being granted at this particular location in previous years and on this occasion, the proposals seek to erect a

large paper paste advertising display. Nevertheless, each application is based on its own merits and assessed as such. Given that the proposal seeks to erect the advertising display in the location described, it is considered that the impact of this on the character of the Conservation Area and on the streetscape would be detrimental and not in accordance 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.

KC Conservation and Design were consulted on the subject of the application, and it was concluded that the reasons for the refusal of application 2025/90034 are still applicable in this case. Attention was drawn to the visually dominant and intrusive impact on the streetscape which would fail to preserve or enhance the Conservation Area. The impact of the overall size and method of display located in-front of the tree embankment was also highlighted as a negative impact on the visual amenity and character of the area.

As such, the proposed advertisements do not comply with policies contained within Chapters 14 and 20 of the NPPF, Policies LP24 & LP25 of the Kirklees Local Plan in terms of achieving good design and well-designed places. Given the location of the proposal within the Linthwaite Conservation area and the nature of the proposal itself, LP35 of the Local Plan also applies here and is not satisfied.

There would be limited public benefits arising from the development, and as such it is considered that there is not a clear and convincing justification present in this case which would clearly outweigh the harm of the development so identified.

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).

The previous application was submitted to K. C's Highways team for review. It was previously determined that the proposed signage was deemed not a hazard to motorists. Given the nature of the changes made to the current

proposal, it is considered this is applicable in this consideration of this case. The proposal is therefore considered to be acceptable in regard to public safety.

Conclusion

To conclude, whilst it is considered that the proposals do not conflict with the aims of LP21 of the Kirklees Local Plan it is considered they would 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 14 and 20 of the National Planning Policy Framework. It is therefore considered that the development would not constitute sustainable development and should therefore be refused.

**Recommendation
consent**

Refuse advertisement

Decision Authorisation - Delegated Powers

Application Number: 2022/92360

Officer Recommendation: Refuse advertisement consent

Reason

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 Linthwaite Conservation Area, causing 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 14 and 20 of the National Planning Policy Framework.

Plans and specifications schedule:-

Plan Type	Reference	Version	Date Received
Existing and Proposed Elevations	PA04		29 th June 2026
Proposed Site Plan	PA03		29 th June 2026
Existing Site Plan	PA02		29 th June 2026
Location Plan	PA01		29 th June 2026

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