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:	**2026/64/92446/E**
Site Address:	footpath at, Central Parade, Dewsbury Road, Cleckheaton, BD19 3RU
Description:	Erection of illuminated sign
Recommending Officer:	Jennifer Booth

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: 06-Nov-2026

DECISION LEVEL:

This is a Schedule 1 Application. By virtue of Regulation 4, it must be dealt with under delegated powers.

Site Description

The site is part of the footpath outside a row of retail units in Cleckheaton Town Centre.

Description of Proposal

The Street Hub would be a free-standing structure with an overall height of just under 3m, 1.24m wide and 350mm deep with a footprint of 0.42sqm. It would be constructed of galvanised mild steel, with a powder-coated external grade aluminium exterior, displays fronted by tempered and laminated glass. Another feature is a video camera, which the applicant states will not, in the short term, be connected or used, but may be in the long-term after consultation with stakeholders and the public.

The proposed Hub would be placed within the public footway facing north west to south east. There would be panels on each side with a width of 0.95m and a height of 1.67m – digital LCD screens.

Relevant Planning History

None

Representations

No publicity required

Consultations

None

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 within Cleckheaton Town Centre upon the Kirklees Local Plan.

The following is relevant to the determination of this application:

Kirklees Local Plan (LP):

LP 1 – Achieving sustainable development

LP 2 – Place shaping
LP 21 – Highway safety
LP 24 – Design
LP 25 – Advertisements

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 2023, 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 14 – Achieving well-designed and beautiful places

Assessment

Advertisement consent applications are subject to a separate assessment regime under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. In determining such applications, the Local Planning Authority may only have regard to the interests of amenity and public safety, taking into account the advertisement's effect on the visual appearance of the locality and any implications for highway and pedestrian safety.

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 4 of the National Planning Policy Framework. The objectives of the policies in chapter 4 are to meet development needs through sustainable patterns of development, including by maximising the potential for growth on suitable land within settlements. For proposals within settlements policy S4 sets out development should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this 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.

Policy LP24 of Kirklees Local Plan and policies within Chapter 14 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.

Amenity:

The advertisement displays would introduce a highly prominent form of commercial signage within the public realm, resulting in a visual presence significantly greater than that typically associated with conventional street furniture.

The digital advertisement panels would occupy a substantial proportion of the structure and, by virtue of their scale, illumination and changing visual content, would draw considerable attention within the street scene. As the proposal would not replace any existing advertising feature, the displays would represent an additional source of visual stimulus within the town centre environment. In combination with existing signs, shopfront advertisements, lighting columns and other street furniture, the proposal would contribute to a more cluttered and visually congested streetscape.

Given the scale and vertical form of the advertisement displays, the structure would be readily visible from both short and longer-distance viewpoints and would appear as a prominent and visually intrusive feature within the public realm. The digital panels would consequently compete with, rather than complement, existing town centre features, increasing the prominence of commercial advertising within the street scene and detracting from the overall visual quality and character of the area.

Public safety:

The proposed BT Street Hub incorporates digital advertising displays which, by their very nature, have the potential to divert the attention of drivers from the public highway. The degree of harm arising from such distractions is influenced by the characteristics of the surrounding highway network and the sensitivity of the location. In this instance, the Street Hub would be positioned approximately 20 metres from a signal-controlled junction and directly opposite a vehicular access, where drivers are required to observe traffic signals, other road users and turning movements. Given its siting in close proximity to these highway features, the digital screens would introduce an additional visual stimulus at a location where driver concentration is of particular importance. As such, the proposal is considered likely to prejudice highway safety.

In addition, the Street Hub would be located on the public footway, resulting in an obstruction within a pedestrian movement corridor. Whilst the footway measures approximately 3.7 metres in width and a clear width of around 2.2 metres would be retained between the unit and the adjacent shopfronts, the structure would nevertheless introduce a substantial item of street furniture into the pedestrian environment. This has the potential to impede pedestrian movements, particularly at busy times, and would be detrimental to the convenient and safe use of the highway by pedestrians. Consequently, the proposal raises concerns in respect of both vehicular and pedestrian safety.

Conclusion

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 be acceptable in terms of amenity and public safety.

Recommendation **Refuse advertisement consent**
Decision Authorisation - Delegated Powers
Application Number: 2026/91158
Officer Recommendation: Refuse advertisement consent
Reasons for refusal

1. The proposed digital advertisement displays, by reason of their scale, illumination, siting and prominence, would introduce a visually intrusive and incongruous form of advertising within the street scene. The advertisement panels would represent an additional advertising feature and, when viewed alongside existing signage, street furniture and commercial displays, would contribute to visual clutter and detract from the character and appearance of the town centre. Due to their size and prominent position, the displays would appear as dominant features within the public realm and would fail to integrate satisfactorily with their surroundings, causing unacceptable harm to visual amenity. The proposal is therefore contrary to Policy LP24 of the Kirklees Local Plan, policies within Chapter 14 of the National Planning Policy Framework and the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. The proposed digital advertisement displays, by virtue of their illuminated and attention-seeking nature, scale and siting, would create an undue source of distraction to motorists in close proximity to a signal-controlled junction and opposite a vehicular access. The displays would have the potential to divert driver attention away from traffic signals, pedestrians and other highway users at a location where a high level of concentration is required. As a result, the advertisements would be detrimental to the safe operation of the

highway network and would adversely affect public safety. The proposal is therefore contrary to Policy LP21 of the Kirklees Local Plan, the objectives of the National Planning Policy Framework and the provisions of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Plans and specifications schedule: -

Plan Type	Reference	Web ID	Date Received
Existing & proposed plans	-	1157406	11/09/2026
Existing & proposed plans	-	1156078	11/09/2026
Developers notice	-	1156085	11/09/2026
Photomontage	-	1156085	11/09/2026
Supporting statement	-	1156090	11/09/2026
Noise management plan	-	1156084	11/09/2026
Appeal decisions	-	1156087	11/09/2026
ICNIP	-	1156086	11/09/2026
Lighting guidance	-	1156080	11/09/2026
Anti-social behaviour management plan	-	1156079	11/09/2026
Product statement	-	1156081	11/09/2026

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. As the proposals were considered to be acceptable in their original form, no amendments were sought.