# 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: | **2026/64/90052/E** |
| Site Address: | Modern Mortgages, 16, Branch Road, Batley, WF17 5RY |
| Description: | Advertisement Consent for erection of illuminated and non illuminated signs (within a Conservation Area) |
| Recommending Officer: | Danielle Cooper |

**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.**

Kirsty Nicholls

***AUTHORISED OFFICER***

**Date: 18-Mar-2026**

## Site Description

The application site comprises a two storey mid terrace building, currently operating under use class E(a) retail unit. However, this site has recently received planning permission to the change the use to a hot food take away (sui generis), reference number 2026/90051.

The site is located on Branch Road, within Batley Town Centre and forms part of a well-established commercial parade. The site also forms a secondary shopping frontage. The surrounding area is mixed with commercial and residential uses. Secondary access into the building is via St James Street.

The site is also located within Batley Market Place Conservation Area.

## Description of Proposal

The application is seeking advertisement consent for the erection of an externally illuminated sign.

The proposal comprises a fascia measuring 0.75m(h) x 4.95m(w) x 0.25m(d), comprising a yellow background, with text ‘Two Men’s Kitchen’ in black to the left side of the sign, and ‘Italian Pizzas’ with the company’s number on the right side. The fascia will be timber and will have a matte finish. The sign will be light up by top-mounted linear downlighting as shown on plan.

## History of negotiations/amendments received

Officers had concerns regarding internal illumination and the impact on the historic character of the conservation area. Amended plans were sought and received which showed external lighting and the fascia to be timber with a matte finish.

## Relevant Planning History

2026/90051 - Change of use from retail unit (Class E) to hot food takeaway (sui generis) and installation of extract and ventilation equipment (within a Conservation Area) – Conditional Full Permission

## Representations

No representations have been received.

## Consultations

None.

## 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 located within Batley Town Centre and Batley Marketplace Conservation Area and is allocated as a secondary shop frontage within the Kirklees Local Plan.

**Kirklees Local Plan (PDLP):**
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 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 built environment

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.

**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 132 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.

The application site is located within Batley Town Centre and is allocated as a secondary shopping frontage in the Kirklees Local Plan. It is a predominantly retail area with the site surrounded by other commercial units which have advertisements, all of a similar design and size to the proposed.

The case officer requested that the fascia sign be constructed in timber with a matte finish and to be illuminated by top-mounted linear downlighting as shown on plan in the interest of visual amenity and preserving historic character. Following receipt of amended plans, the case officer considers the scheme to be acceptable.

As a result, it is considered the proposal would be in keeping with the character of the area and would not result in any detriment to visual amenity, historic character or public safety. The signage would preserve the character and appearance of the surrounding area, in the interest of visual amenity and preserving historic character

The signage proposed is clearly relating to the building's use. The signage would be unobtrusively positioned within close proximity, or attached to, the existing building and would be similar in scale and positioning to existing signage in the surrounding area.

There would be no impact to highway safety as the signage would have appropriate illumination and placement.

As such, the proposed advertisements are considered to comply with the aims of the NPPF and Policies LP24, LP25 and LP35 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**: 2026/90052
**Officer Recommendation**: Grant advertisement consent

**Conditions and Reasons**

Standard 5 advert conditions

Plans and specifications schedule:-

| Plan Type | Reference | Version | Date Received |
|---|---|---|---|
| Location Plan | 01 | V6 | 05/03/2026 |
| Existing Block Plan | 02 | V6 | 05/03/2026 |
| Proposed Block Plan | 03 | V6 | 05/03/2026 |
| Existing and Proposed Elevations | 05 | V6 | 05/03/2026 |

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 2024 and otherwise actively engaged with the applicant in dealing with the application. Officers had concerns regarding internal illumination and the impact on the historic character of the conservation area. Amended plans were sought and received which showed external lighting and the fascia to be timber with a matte finish.

**Report Dated:** 06/03/2026