

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:	2026/64/91263/E
Site Address:	Mr Gs, 290, Bradford Road, Batley, WF17 5PW
Description:	Advertisement Consent for externally illuminated fascia and projecting signs (within a Conservation Area)
Recommending Officer:	Elenya Jackson

DECISION – ADVERTISEMENT CONSENT GRANTED

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.

Emma Thompson

AUTHORISED OFFICER

Date: 23-Jul-2026

Officer Report

Reference No: 2026/91263

Site Address: Mr Gs, 290, Bradford Road, Batley, WF17 5PW

Proposal: Advertisement Consent for externally illuminated fascia and projecting signs (within a Conservation Area)

Site Description

290 Bradford Road, Batley is a mid terraced property located in close proximity to Batley Town Centre and within the Station Road, Batley Conservation Area.

Description of Proposal

The application seeks advertisement consent for the installation of an illuminated fascia signs and a hanging sign. Alterations have been made to the proposal during the course of the application to remove the trough lighting and replace all illumination with halo illumination and therefore the details of the proposed signage are as follows:

The fascia board would be 0.75m tall and 8.5m wide.

The projecting sign would be 0.8m wide by 0.8m tall and located 3.5m about FFL.

The maximum illuminance level would be 300C/Dm2.

History of negotiations / amendments received

Amendments were sought during the course of the application address design concerns following discussion with KC Conservation and Design. As a result, the fascia sign was amended from trough lighting to halo illuminated lettering.

Relevant Planning History

2026/62/90966/E: Change of use from Sui Generis night club to Class E restaurant with ancillary sui generis takeaway, installation of extract canopy to the side and new shopfront (within a Conservation Area). Pending consideration.

Representations

No publicity is required for applications regarding signs and advertisements.

Consultation Responses

KC Conservation & Design - No objection following the requested amendments being received.

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 the station road conservation area on the Kirklees Local Plan Proposals Map. The most relevant policies for consideration in this case are:

Kirklees Local Plan Policies

- **LP 1** - Achieving Sustainable Development
- **LP 2** - Place Shaping
- **LP 24** - Design
- **LP 25** - Advertisements and Shop Fronts
- **LP 35** - 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. The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

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.

- **Chapter 12** - Achieving Well-Designed Places
- **Chapter 16** - Conserving and Enhancing the Historic Environment

Assessment

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

Kirklees Local Plan sets out that the display of advertisements will only be permitted if they satisfy the following criteria:

- The design is consistent with the character of the existing building in terms of scale, quality and use of materials;
- Proposals respect the character of the locality and any features of historic, architectural, cultural or other special interest

Policy LP35 of the Kirklees Local Plan requires development proposals affecting a designated heritage asset to preserve or enhance the significance of the asset, retaining those elements of the historic environment which contribute to the distinct identity of the Kirklees area and ensuring that proposals maintain and reinforce local distinctiveness. Proposals within Conservation Areas should conserve those elements which contribute to their significance.

Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires, that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 (1) requires that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The proposal would see two illuminated signs installed to the front elevation of the building. Although the advertisements would have some visibility from public vantage points, it is considered that they would be appropriate to the context of the site and would not give rise to any significant harm to visual amenity.

The application confirms an illuminance level of a maximum of 300 cd/m². Officers have reviewed this application and do not consider there to be any significant Environmental Health impacts with this development. To minimise problems of glare and stray light from external artificial lighting it should be installed and maintained in accordance with the "Guidance Note 01/21 for the Reduction of Obtrusive Light" by the Institution of Lighting Professionals: 2021 www.theilp.org.uk.

Kirklees Council has powers under Section 80 of the Environmental Protection Act 1990 to prevent statutory nuisance including artificial light and must serve an abatement notice when it is satisfied that a statutory nuisance exists or is likely to occur or recur. Failure to comply with a notice served using the above-mentioned legislation would be an offence for which the maximum fine on summary conviction is unlimited.

Furthermore, it is noted that the application site is located in the Station Road, Batley Conservation Area. As such, KC Conservation and Design were consulted on the proposal. The applicant has amended the proposed signs in-line with requests from officers to change the lettering on the fascia to halo illumination. It is acknowledged that the projecting sign is illuminated using trough lighting; however, it is considered that this would have less of an impact than internal lighting that would shine through, and on balance due to the proposed amendments to the fascia sign, would not result in any

significant detrimental harm to the significance of the setting of the Conservation Area.

It is considered appropriate to recommend a condition to ensure the signage is dimmed between dusk and dawn to ensure it does not overly detract from the character of the conservation area or the listed building.

Public Safety:

Policies LP21 and LP22 of the Kirklees Local Plan and policies within chapter 9 of the NPPF relate to access and highway safety and are considered to be relevant to the consideration of this application.

The Department for Transport document “Inclusive Mobility – A Guide to best Practice” dated December 2021 suggests that the width for a footway to allow two wheelchair users to pass would be 2m with an absolute minimum of 1.5m. Where there are higher-than-average pedestrian flows, such as those found in town centres and along certain desire lines, or areas adjacent to shops and services where browsing or waiting may occur, wider footway distances may be required.

Planning Policy Guidance on advertisements lists the main types of advertisement which may cause danger to road users. The list includes, amongst other things, those which would because of their size or siting, obstruct or confuse a road-user’s view, or reduce the clarity or effectiveness of a traffic sign or signal. In addition, it also refers to internally illuminated signs (incorporating either flashing or static lights), including those utilising LED technology, where the means of illumination is directly visible from any part of the road and which are subject to frequent changes of display. The advertisements proposed here would largely be in line with those referenced above. However, the guidance in the PPG relating to advertisements in terms of public safety does not, in itself, mean that all internally illuminated signs utilising LED technology would be harmful to highway or pedestrian safety. The individual circumstances of the site and surroundings of each of the LED advertisement screen displays are, therefore, necessarily considered.

It is considered that the signage would be high level and a condition is recommended to have the lighting on the projecting sign to dimmed between dawn and dusk to avoid dazzling highway users.

Kirklees Council Highway Development Management have been consulted (informally) on the proposal given the siting of the development adjacent to Bradford Road and concur with the recommended conditions.

Conclusion

In this instance, it is considered that the proposed signage, due to its position, design, and scale, would not result in any detriment to amenity. As such, the proposed advertisement is considered to comply with Policies LP24, LP25 and LP35 of the Kirklees Local Plan in terms of achieving good design and well-designed places and 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 constitute sustainable development and is therefore recommended for approval.

Recommendation: Grant advertisement consent

Decision Authorisation - Delegated Powers

Application Number: 2026/91263

Officer Recommendation: Grant Advertisement Consent

Conditions and Reasons

Standard 5 advert conditions

6. At no time shall the luminance level of the signs hereby approved exceed the values defined within the Institute of Lighting Professionals (ILP) guidance document PLG05 – The Brightness of Illuminated Advertisements 2015 as amended or superseded, for the lifetime of the development.

Reason: To avoid excessive glare and light spill, and to minimise distraction to road users, in accordance with the aims of Policies LP21 and LP25 of the Kirklees Local Plan and the National Planning Policy Framework.

7. The intensity of the luminance of all advertisements hereby approved shall be controlled by the installation of a light sensor which shall adjust the illuminance levels to ambient light conditions between dusk and dawn.

Reason: In the interest of amenity and public safety, to comply with the aims and objectives of LP21, LP24 and LP35 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

8. Notwithstanding the requirements of condition 7, the intensity of the luminance of the advertisement display shall not exceed 300cd/m² on any part of the illuminated signage at any time.

Reason: In the interest of amenity and public safety, to comply with the aims and objectives of LP21, LP24 and LP35 of the Kirklees Local Plan and Chapter 12 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Revision	Date Received
Location Plan			11/05/2026
Block Plan			11/05/2026
Elevations			15/07/2026
Projecting sign			22/07/2026

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. The Case Officer undertook negotiations with the agent to secure amended plans. The revised drawings received were considered acceptable