

Delegated Report

Planning Ref: 25/00529/ADV

Applicant: Mrs Amy Gilliver

Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: Land Off Desford Lane Ratby

Proposal: Erection of 4 no. flag poles and a free standing post mounted sign

1. Recommendations

1.1. Grant Advertisement Consent subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks advertisement consent for the erection of 4 flag poles and a free standing post mounted sign at Land Off Desford Lane, Ratby.
- 2.2. The proposed flag poles would be situated to the south-west of the site and would line Desford Lane, a maximum of 6.00 metres from ground level. They would measure 1.80 x 0.90 x 0.07 metres and would be constructed out of aluminium to the pole and printed polyester with stitched sleeve and eyelets to the flag. The primary lettering 'Bellway' measure 0.26 x 1.35 metres and would have a mix of a white, blue (CMYK 93:78:4:87) and orange (CMYK 0:70:100:0) colourway
- 2.3. The proposed free standing dual post mounted sign would be situated to the north-west of the site to the site entrance facing Desford Lane, a maximum of 5.00 metres from ground level. It would measure 0.01 x 2.19 x 2.64 metres and would be elevated a maximum of 2.80 metres from ground level to the base of the advertisement. It would be constructed of aluminium composite panels with laminated UV-printed graphics. The freestanding posts are steel and would be finished in black. The advertisement is for Bellway Homes and contains the name 'Bellway' alongside an award accreditation symbol and the words 'Echelon'. Beneath this, the advertising states, 'A collection of 2, 3 and 4 bedrooms homes, coming soon' and provides contact details for the Bellway sales team including website, email and telephone number. It would have a mix of a white, blue (CMYK 93:78:4:87) and orange (CMYK 0:70:100:0) colourway.

3. Description of the site and surrounding area

- 3.1. The application site is known as Land off Desford Lane, Ratby. It is an agricultural field within the designated open countryside, located to the south of the settlement boundary of Ratby. The application site has previously been granted outline permission on appeal for the construction of 225 dwellings with public open space, landscaping and a sustainable drainage system.
- 3.2. To the north of the application site is Ratby Sports Club and its pitches and, beyond that, the village centre of Ratby. To the west of the application site is Desford Lane which separates the site from areas within the National Forest and Charnwood Forest. To the south of the application site is Stonecraft commercial site and a disused railway line. To the east is agricultural land within the designated open countryside.

4. Relevant planning history

09/00872/COU

- Change of use of land from agricultural use to allotments, storm water overflow basin and wildlife area
- Planning Permission
- 11.01.2010

11/00695/FUL

- Erection of wood chip store and new access
- Planning Permission
- 26.10.2011

17/00987/GDO

- The woodland track, turning area and wood stacking zones are required to fulfil forestry operations within the woodland
- General Development Order
- 25.10.2017

20/00159/CLP

- Erect 10x8 metal shed
- Certificate of Lawful Proposed Use
- 08.04.2020

21/01295/OUT

- Outline planning application for the erection of up to 225 dwellings (including 40% affordable housing) with public open space, landscaping and sustainable drainage system (SuDS) and a vehicular access point. All matters reserved except for means of access.
- Refused
- 01.09.2023

23/00035/PP

- Outline planning application for the erection of up to 225 dwellings (including 40% affordable housing) with public open space, landscaping and sustainable drainage system (SuDS) and a vehicular access point. All matters reserved except for means of access.
- Allowed
- 28.02.2024

24/01090/REM

- Approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission 21/01295/OUT for 225 dwellings (including 40% affordable housing) with public open space, landscaping and sustainable drainage system (SuDS) and a vehicular access point
- Approval of Reserved Matters
- 16.05.2025

25/00143/DISCON

- Application to discharge condition 11 (Biodiversity Net Gain Plan) on Appeal Decision APP/K2420/W/3330774 relating to planning application 21/01295/OUT
- Pending Decision

25/00144/DISCON

- Application to discharge condition 6 (Contamination) Appeal Decision APP/K2420/W/3330774 relating to planning application 21/01295/OUT
- Discharged
- 07.04.2025

25/00145/DISCON

- Application to discharge condition 7 (Construction Environment Management Plan) Appeal Decision APP/K2420/W/3330774 relating to planning application 21/01295/OUT
- Discharged
- 12.05.2025

25/00146/DISCON

- Application to discharge condition 8 (Surface Water Drainage onto Public Highway) on Appeal Decision APP/K2420/W/3330774 relating to planning application 21/01295/OUT
- Pending Decision

25/00174/DISCON

- Application to discharge condition no 12, (Landscape Environmental Management Plan) on appeal decision APP/K2420/W/3330774 relation to planning application 21/01295/OUT
- Pending Decision

25/00215/ADV

- Erection of a free standing post mounted sign
- Refusal of Advertisement Consent
- 01.05.2025

25/00263/DISCON

- Application to discharge condition 9 (surface water drainage during construction) on Appeal Decision APP/K2420/W/3330774 relating to planning application 21/01295/OUT
- Discharged
- 30.04.2025

25/00426/DISCON

- Application to discharge condition 5 (Archaeology) from Appeal Decision APP/K2420/W/3330774 relating to planning application 21/01295/OUT
- Discharged

- 29.05.2025

25/00538/NMA

- Non-material amendment to planning permission 24/01090/REM. Amendment required to align with Section 38 Agreement and improve landscaping
- Permit Non Material Amendment
- 10.07.2025

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. Following the publication no comments have been received.

6. Consultation

- 6.1. Ratby Parish Council:
 - No comments have been received.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 7: Key Rural Centres
 - Policy 8: Key Rural Centres Relating to Leicester
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM23: High Quality Shop Fronts and Advertisements
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
 - Design and impact upon the character of the area
 - Impact upon highway safety
 - Impact upon ecology

Design and impact upon the character of the area

- 8.2. Paragraph 141 of Section 12 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. It goes on to

state that advertisements should be subject to control only where this is in the interests of amenity and public safety, taking account of cumulative impacts.

- 8.3 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.4 Policy DM23 of the SADMP sets out the circumstances in which applications for outdoor advertisements will be approved by the Borough Council. This includes that outdoor advertisements have no detrimental impact on public safety and do not represent a proliferation of unnecessary advertisements singularly or cumulatively.
- 8.5 The application seeks advertisement consent for the erection of 4 flag poles and a free standing post mounted sign at Land Off Desford Lane, Ratby.
- 8.6 The site is currently underdeveloped and situated in the countryside, the proposed signage will therefore have a visual impact on the character of the area. However, the signage is informative and for the purposes of the new development that will be taking place in close proximity and is not uncommon for such developments it will also be temporary in nature. The proposed number and location of the flags is considered to be acceptable and to not present overproliferation of flag signage. The free standing signage is large in scale, particularly its height which is somewhat unnecessary. However, it is adjacent to the main development entrance and the cluster of signage is some distance from the other flag signage, which in addition to its temporary nature and backdrop of the construction height is on balance judged to be acceptable. The signage is on balance considered to be appropriate and proportionate to the residential development site which it is advertising and is considered to be in accordance with Policies DM10 and DM23 of the SADMP.

Impact upon highway safety

- 8.7 Policy DM17 requires development to not have a significant adverse impact upon highway safety.
- 8.8 Policy DM23 of the SADMP states outdoor advertisements will be approved where they have no detrimental impact on public safety. This includes considerations which are relevant to the safe use and operation of any form of traffic or transport and includes the safety of pedestrians.
- 8.9 The size and position of the signs would not give rise to an unacceptable level of pedestrian or vehicular safety as they would be situated a safe distance from the adjacent public highway, whilst being non-illuminated.
- 8.10 It is therefore considered that the proposed advertisement would not cause any material impacts upon pedestrian or vehicular safety in compliance with policies DM17 and DM23 of the SADMP.

Impact upon ecology

- 8.11 Policy DM6 of the Site Allocations and Development Management Policies DPD states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:

- e) The need and benefits of the development in that location clearly
- f) It has been adequately demonstrated that the irreplaceable habitat

- g) Appropriate compensation measures are provided on site wherever possible and off site where this not is feasible.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

- 8.12 The proposed free standing dual post mounted sign and flagpole (closest to the site entrance) would be situated between specimen/feature trees and avenue/street trees planted under a planting scheme (Detailed POS Planting Plan – General Arrangement, Drg No. 12963-fpcr-xx-xx-dr-l-005 Rev P05) attached to application 25/00538/NMA.
- 8.13 The proposal is not, however, considered to result in the loss or deterioration of an irreplaceable habitat complying with Policy DM6 of the Site Allocations and Development Management Policies DPD.
- 8.14 Notwithstanding the above the applicants should ensure to understand the relevant issued informatives whilst also ensuring compliance with Condition 7 of 21/00619/FUL;

7. *The reserved matters hereby approved shall be implemented in accordance with the detailed landscape proposals set out in Condition 1. All relevant on plot landscaping shall be carried out prior to the occupation of the relevant dwelling. All public open space landscaping shall be completed with six months of the occupation of the first dwelling. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted.*

Reason: *In the interests of the amenity of future residents and the character and appearance of the site and surrounding area in accordance with Policy DM10 of the Site Allocations and Development management Policies Development Plan Document (2016).*

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. Overall, the proposal is deemed acceptable within the context of the street scene and would preserve the character and appearance of the area. The signs would not cause any significant impacts upon pedestrian or vehicular safety. The proposed development is therefore deemed acceptable in accordance with Policies DM6, DM10, DM17 and DM23 of the Site Allocations and Development Management Policies DPD, and the wider policies of the NPPF.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report

11.2 Conditions and Reasons

1. The grant of express consent shall expire at the end of a period of five years from the date of this notification.

Reason: To comply with the requirements of Regulation 16(2) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. All advertisement consents are subject to five standard conditions specified in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 which are as follows: -
 - a) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission
 - b) No advertisement shall be sited or displayed so as to:-
 - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military)
 - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air
 - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle
 - c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site
 - d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public
 - e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity

Reason: To comply with the requirements of Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

3. The advertisement(s) hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Application Form; and
 - Block Plan, Drg No. 06514-05-0001; and
 - Signage Location, Drg No. 06514-05-0001; and
 - Signage Planning & Signage Graphics, Drg No.06514-05-0001
- All as received by the Local Planning Authority on the 29th May 2025.

Reason: To protect the visual amenity of the area to accord with Policies DM1, DM6, DM10, DM17 and DM23 of the Site Allocations and Development Management Policies Development Plan Document.

4. The advertisement shall be displayed for a limited period expiring on 31 December 2028. Thereafter the land shall be restored to its original condition prior to the installation of the advertising or in accordance with any approved landscaping plans relating to the housing development to which the advertisements relate.

Reason: To comply with the requirements of Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and to protect the visual amenity of the area to accord with Policy DM4, DM10 and DM23 of the Site Allocations and Development Management Policies Development Plan Document.

11.3 Notes to applicant

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
- b) Refer to NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees.
- c) Before starting the work identify the protection zone with marker paint or pegs. This will ensure that the installation team know the precise area where special precautions are required to avoid or minimise damage.
- d) All excavations using hand tools need to be carried out with great care to avoid damage to as many roots as possible. There must be close supervision during hand-digging operations and the installation team should understand what is required. All tree roots over 25mm in diameter should ideally be worked round and retained. If, however, it is necessary to remove these roots, a request for advice should be sought via forestry@leics.gov.uk.