

Delegated Report

Planning Ref: 24/00259/ADV

Applicant: Octopus Energy

Ward: Burbage Sketchley & Stretton



Hinckley & Bosworth
Borough Council

**Site: Octopus Energy Service Unit 4 Hinckley Park Avery Way
Burbage Leicestershire LE10 3FF**

Proposal: Installation of 1 non-illuminated mesh banner, 1 non-illuminated and entrance sign and 1 illuminated building sign.

1. Recommendations

1.1. Grant advertisement consent subject to:

- Conditions outlined at the end of this report.

2. Planning application description

2.1. The application is for advertisement consent for the installation of a range of three advertisements to the front and side elevation of a new industrial warehouse.

2.2. The signs include a non-illuminated digital printed mesh banner (sign 1) fitted to a spirit-tex aluminium frame mounted to the south west facing front elevation of the warehouse and projecting out 0.03 metres from the surface of the warehouse. The magenta mesh banner has a width of 29 metres and a height of 8.6 metres. It bears the name of the company with individual letters measuring 1.8 metres in height and in a Navy colour.

2.3. The second non illuminated fascia sign (sign 2) is a navy coloured sign made up of aluminium letters mounted on aluminium rails at the entrance of the warehouse. It has a width of 4.9 metres, height of 1.6 metres, individual letters measuring 1 metre to a height of 4.4 metres from the ground to the base of the advertisement.

2.4. The third fascia sign is externally illuminated with luminance level of 300cd/m². It is an aluminium letter sign (sign 3) with foamex backtrays mounted to the cladding of the warehouse, facing the east of the site with trough lighting. The letters are navy coloured and the signage has an overall width of 9.9 metres, height of 3.3 metres and individual letters measuring 1.8 metres. The signage projects 0.05 metres from the surface of the cladding and a height of 3.7 metres from the ground to the base of the advertisement.

3. Description of the site and surrounding area

3.1. The site relates to an industrial and logistics park which accommodates four companies. The site is located in a strategic site in Hinckley and close to Junction 1 of the M69. The site is not within a conservation area.

4. Relevant planning history

None related.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site.

5.2. No responses have been received.

6. Consultation

- 6.1. Burbage Parish Council has no objection to this application.
- 6.2. National Highways has no objection to the application.
- 6.3. The Local Highway Authority has no comment to the application.
- 6.4. HBBC Environmental Services - Pollution has no objection to the application.

7. Policy

- 7.1. Core Strategy (2009)
 - No relevant policies
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - 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) (Dec 2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Outdoor Advertisements and Signs

8. Appraisal

- 8.1. Key Issues
 - Impact upon the character of the area
 - Impact upon highway safety

Impact upon the character of the area

- 8.2. Paragraph 136 of the National Planning Policy Framework (NPPF) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment.
- 8.3. Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards 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. The circumstances include the requirement for advertisements to reflect local character and materials, to be appropriately scaled and to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.5. The industrial site has several warehouses with a mix of illuminated and non-illuminated signs displayed on the warehouses. Sign 1(Digi-printed mesh banner) is non-illuminated and displayed on the south west front elevation of the warehouse.

The digi-printed mesh banner is large and comprises in main the plain magenta banner with the letters comprising a small and proportionate part of the overall banner. It has appropriate projection from the surface of the warehouse, the letters on the mesh banner have appropriate dimensions and are strategically positioned on the banner and the warehouse. The colour matches that of the company. Sign 1 is not harmful to the street character.

- 8.6 Sign 2 is above the entrance and although large is considered proportionate to the size of the building. The external materials are not harmful to the street scene and the colour of the letters matches the company logo and the other signs. It binds with the background of the entrance and complements the building.
- 8.7 Sign 3 is illuminated with luminance level of 300cd/m². It is static and projects out of the surface of the warehouse by 0.05 metres. It has appropriate and proportionate dimensions and is on the east of the warehouse. The proposed advertisement are acceptable and not considered out of keeping with the character of the area, by way of design and orientation of the site.
- 8.8 The surrounding site has several advertisements on similar large buildings, however the proposed signs do not constitute an over-proliferation of advertisements. The proposal does not result in any significant impacts upon the character of the area. They reflect the local style and design. Therefore, the proposal is considered to be in accordance with Policies DM10 and DM23 of the SADMP.

Impact upon highway safety

- 8.9 Policy DM17 of the SADMP requires development to not have a significant impact upon highway safety.
- 8.10 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.11 The proposal is set away from the public highway. The luminance level of the sign 3 is considered acceptable within the site and has no significant impact on the public highway. It does not result in light spillage considering the orientation of the site. The size and position of the signs does not result any unacceptable level of pedestrian or vehicular safety. There are no immediate buildings and therefore the advertisements have no adverse impact on amenities.
- 8.12 It is therefore considered that the proposed advertisement does not result in any significant adverse impact upon pedestrian or vehicular safety and therefore in compliance with policies DM17 and DM23 of the SADMP.

Equality implications

- 8.13 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.

- 8.14 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.
- 8.15 There are no known equality implications arising directly from this development.
- 8.16 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

9. Conclusion

Overall, the proposal is acceptable within the context of the street scene and does not impact on the character and appearance of the site. The illumination, projection, dimension, and external materials of the advertisement do not cause any significant impacts upon pedestrian or vehicular safety. The proposed development is therefore in accordance with Policies DM10, DM17, DM23 of the SADMP and the wider policies of the NPPF.

10. Recommendation

11.1 Grant advertisement consent 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 illuminated advertisement hereby permitted shall only be statically illuminated and shall not have a degree of brightness exceeding 300 candelas per square metre.

Reason: In the interests of the visual amenities of the locality and the character and appearance of the area and so that drivers of vehicles on the highway are not dazzled or distracted in accordance with Policy DM23 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The advertisement(s) hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Application Form, Site Location Plan, Site Plan, Block Plan Drawing Number 2, Sections Drawing Number 87190, Proposed Elevation Drawing Number 87164 received by the Local Planning Authority on 19 March 2024.

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

11.3 Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.