

Delegated Report

Planning Ref: 25/00637/ADV
Applicant: Miss Marina Alleyne
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: WH Smiths 29 - 31 Castle Street Hinckley

Proposal: 2 Non illuminated fascia signs and delivery entrance sign

1. Recommendations

1.1. Grant advertisement consent subject to:

- Conditions outlined at the end of this report

2. Application description

- 2.1. The application seeks advertisement consent for the display of 2 non-illuminated fascia signs and a delivery entrance sign at 29-31 Castle Street and 11 Church Walk, Hinckley.
- 2.2. The proposed non-illuminated fascia signs would measure 0.58 x 0.05 x 3.09 metres. They would be finished in aluminium painted in blue (RAL 5002) with white vinyl graphic 'TGJones'. The front sign facing Castle Street would be sited 2.46 metres from ground level and the rear sign facing Church Walk would be sited 2.14-2.29 metres from ground level.
- 2.3. The proposed delivery entrance sign would measure 0.50 x 0.50 x 0.05 metres. It would face Church Walk and would be finished foamex in blue (RAL 5002) with white graphics 'TGJones GOODS INWARDS'.

3. Description of the site and surrounding area

- 3.1. 29-31 Castle Street is a grade II listed building with the National Heritage List England (NHLE) (ref 1295108) identifying the building as originally being a pair of houses dating from the 18th century and now shops with 20th century shopfronts. The building is also located within the Hinckley Town Centre Conservation Area.
- 3.2. Whilst the heritage significance of the building is derived from the historic and remaining architectural interest of the 18th century building, the 20th century shopfronts are later additions and the fascia and fixed signage subject to this proposal are relatively modern additions of no special historic or architectural interest.

4. Relevant planning history

16/00628/ADV

- Display of 2x internally illuminated projecting signs and 2x externally illuminated fascia signs
- Advertisement Consent
- 31.08.2016

16/00634/LBC

- Display of 2x internally illuminated projecting signs and 2x externally illuminated fascia signs
- Listed Building Consent
- 31.08.2016

5. Publicity

- 5.1. The application has been publicised by sending out letters to the occupiers of neighbouring premises. 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. HBBC Conservation Officer:

'The proposal is for the replacement of existing 'WH Smith' components of the existing fascias on the front and rear elevations of the building and replacing it with a non-illuminated fascia of the same scale, form, extent and colour, with the only alteration being a change of business name to 'TG Jones'. The font colour would remain white, and whilst the font would be a different type face it would retain an appropriate traditional appearance. Similarly, the delivery entrance sign would remain in the same position on the rear elevation, be of the same scale, form, extent and colour, with the typeface changed only to reflect the change of business name, so the visual change from the proposed replacement sign would be negligible.

For the above reasons the proposed installation of the replacement signage is considered to have no material impact upon the special interest and significance of the listed building (hence an application for listed building consent for the replacement signage has not been requested by the local planning authority). The replacement signage will also have a neutral impact on the character and appearance of the property and the wider Hinckley Town Centre Conservation Area, thus preserving its heritage significance. Subsequently the proposal complies with Policies DM11 and DM12 the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.'

7. Policy

- 7.1. Hinckley Town Centre Area Action Plan (HTCAAP) (2011)
- Policy 13: Hinckley Town Centre Shopping Areas
- 7.2. Core Strategy (2009)
- Policy 1: Development in Hinckley
- 7.3. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM17: Highways and Transportation
 - Policy DM23: High Quality Shop Fronts and Advertisements
- 7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Planning (Listed Building and Conservation Areas) Act 1990

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the Conservation Area
- Impact upon public safety and amenity

Design and impact upon the character of the Conservation Area

- 8.2 Policy DM10 of the Site Allocations and Development Management Policies DPD states that of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced and proposals which seek to improve neutral and negative areas inside conservation areas, which also lead to the overall enhancement of the conservation area, will be supported.
- 8.4 Policy DM23 of the Site Allocations and Development Management Policies DPD sets out the circumstances in which applications for outdoor advertisements will be approved by the Borough Council. The criteria includes that they have no adverse impact on amenity and that they do not represent an over proliferation of unnecessary advertisements singularly or cumulatively.
- 8.5 Paragraph 136 of the National Planning Policy Framework (NPPF) states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interest of amenity and public safety, taking into account of cumulative impacts.
- 8.6 Section 16 of the National Planning Policy Framework (NPPF) (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.7 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty in the exercise of planning functions stating that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.8 The Hinckley Town Centre Conservation Area Appraisal recognises the detrimental impact of poor quality shop fronts upon the character and appearance of conservation area, and the Council's Good Design Guide (chapter 8) provides clear and specific guidance for what will be expected from the design of replacement shopfronts.

- 8.9 The proposal is for the replacement of existing 'WH Smith' components of the existing fascias on the front and rear elevations of the building and replacing it with a non-illuminated fascia of the same scale, form, extent and colour, with the only alteration being a change of business name to 'TG Jones'. The font colour would remain white, and whilst the font would be a different type face it would retain an appropriate traditional appearance. Similarly, the delivery entrance sign would remain in the same position on the rear elevation, be of the same scale, form, extent and colour, with the typeface changed only to reflect the change of business name, so the visual change from the proposed replacement sign would be negligible.
- 8.10 For the above reasons the proposed installation of the replacement signage is considered to have no material impact upon the special interest and significance of the listed building (hence an application for listed building consent for the replacement signage has not been requested by the local planning authority). The replacement signage will also have a neutral impact on the character and appearance of the property and the wider Hinckley Town Centre Conservation Area, thus preserving its heritage significance. Subsequently the proposal complies with Policies DM11 and DM12 the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990

Impact upon public safety and amenity

- 8.11 Policy DM17 of the Site Allocations and Development Management Policies DPD requires that development not have a significant impact upon highway safety.
- 8.12 Policy DM23 of the Site Allocations and Development Management Policies DPD also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.13 The proposed front non-illuminated fascia sign addresses Castle Street which is a pedestrianised street where through traffic is restricted and the proposed rear non-illuminated fascia sign and delivery entrance sign addresses Church Walk which is a lightly used public highway providing accessibility to the surrounding businesses, Church Walk Car Park and St Mary's Church. The size and position of the signage would not give rise to any concerns over pedestrian or vehicular safety.
- 8.14 It is therefore considered that the proposed signage would not cause any material impacts upon pedestrian or vehicular safety. The proposal is therefore compliant with policies DM17 and DM23 of the SADMP.

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 Conservation Area. The level of illumination and projection of the advertisement is not considered to cause any significant impacts upon public amenity or safety. The proposed development is therefore deemed acceptable in accordance with Policies DM10, DM11, DM12 and DM23 the Site Allocations and Development Management Policies DPD, Section 16 of the NPPF, the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and paragraph 136 of the National Planning Policy Framework (NPPF), subject to the below conditions.

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
 - Site Location Plan; and
 - Block Plan; and
 - Photos Existing, Proposed Signage
- All as received by the Local Planning Authority on the 30th June 2025.

Reason: To protect the visual amenity of the area to accord with Policies DM10, DM11, DM12 and DM23 the Site Allocations and Development Management Policies DPD, Section 16 of the NPPF, the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and paragraph 136 of the National Planning Policy Framework (NPPF).

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.