

Delegated Report

Planning Ref: 24/01024/ADV
Applicant: Mr Edward Bryan
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 28 Castle Street, Hinckley, Leicestershire

Proposal: Replacement of 1 x existing internally illuminated fascia sign and removal and replacement of 1 x existing internally illuminated projecting box 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 is for advertisement consent for the installation of two shopfront signs. The signage proposed comprises one rectangular fascia sign with dimensions of 7.06 metres by 0.79 metres and one square projecting box sign with dimensions of 0.6 metres by 0.6 metres.
- 2.2. The proposed signs are replacements for existing signage on the shopfront. The fascia sign is to be replaced at the same scale as the existing. The projecting box sign is to be replaced at a slightly increased scale, but with a reduced projection depth.
- 2.3. The signage is for Cardsdirect and as such will have pink backgrounds with the lettering 'Cards' in green and 'direct' in purple. This colour scheme consistent with the retailer's national branding.
- 2.4. Both signs are to be internally illuminated. The lettering on the fascia sign is to be illuminated at a level of 600 cd/m². The projecting box sign is to be illuminated at a level of 400 cd/m².

3. Description of the site and surrounding area

- 3.1. The development site is located within the pedestrianised section of Castle Street. Castle Street forms the core shopping precinct of the Hinckley Town Centre and consists of a mix of commercial shopfronts at ground level, often with residential premises located above.
- 3.2. The site is located within the Hinckley Town Centre Conservation Area, however it is part of an area deemed to deliver weak historic character within the Hinckley Town Centre Conservation Area Appraisal (HTCAA)(2013).
- 3.3. The existing building is a two-storey terraced property that dates from the 1970s. It is not considered to contribute positively to the character of the Conservation Area. The building has two existing advertisements for the former tenant, Shoezone. The existing signage comprises one internally lit rectangular fascia sign and one internally lit rectangular projecting box sign.

4. Relevant planning history

- 08/00460/FUL
- Alterations to shop front
- Planning Permission – 18.07.2008
- 08/00461/ADV
- Erection of shop fascia sign

- Advertisement Consent – 18.07.2008

5. Publicity

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

6. Consultation

- 6.1. HBBC Conservation Officer: The comments received are addressed below within the Appraisal section.

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 DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM23: High Quality Shop Fronts and Advertisements

- 7.3. 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

- Impact upon the character of the conservation area
- Impact upon public safety and amenity

Impact upon the character of the conservation area

- 8.2. Paragraph 141 of the National Planning Policy Framework (NPPF) states that poorly placed advertisements can have a negative impact on the character of places.
- 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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.6 Section 16 of the National Planning Policy Framework (NPPF) 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 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.
- 8.8 Chapter 8 of the Council's Good Design Guide (GDG) provides clear guidance as to what is expected for the design of replacement shopfronts.
- 8.9 This application seeks permission for the replacement of one fascia sign with illuminated lettering and one illuminated projecting box sign for the shopfront at 28 Castle Street, Hinckley, which is located within the Hinckley Town Centre Conservation Area. The replacement fascia sign is to match the dimensions of the existing fascia sign. The replacement projecting box sign is square in shape where the existing projecting box sign is rectangular, resulting in an increase of 0.04m² in surface area but a reduction of 0.2 metres in projection from the building.
- 8.10 The replacement signage is to adopt Cardsdirect's national branding colour scheme. The signage has a pink background with the lettering 'Cards' in green and 'direct' in purple. These colours are more prominent than the existing signage which has a blue background with white lettering, however it is not dissimilar to other shopfronts along Castle Street.
- 8.11 The existing building has been identified by Council's Conservation Officer as currently making a minor negative contribution to the character of the area. The building and its immediate surrounds were identified as a weak area of character in the Hinckley Town Centre Conservation Area Appraisal (HTCAA) (2013). There are other examples within the immediate area of comparable signage in terms of scale, illumination and colour scheme. The impact to the Conservation Area from this proposal is therefore considered to be neutral.
- 8.12 The proposed signage would preserve the character and appearance and thus significance of the Hinckley Town Centre Conservation Area. It is therefore considered the proposal complies with Policies DM11 and DM12 of 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

- 8.13 Policy DM17 of the SADMP requires that development not have a significant impact upon highway safety.
- 8.14 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.15 The proposed signage addresses Castle Street which is a pedestrianised street where through traffic is restricted. The size and position of the signage does not give rise to any concerns over pedestrian or vehicular safety.

- 8.16 The proposed maximum level of luminance for the signs is 600 cd/m² for the lettering on the fascia sign and 400 cd/m² for the projecting box sign. As the opening hours for the store are 9:00-17:30 Monday-Saturday and 10:30-16:30 on Sundays, the illumination would for most of the year only be on during daylight hours. Any perceived impacts during the twilight hours between late October and mid-February are considered negligible given the site is surrounded by other illuminated shopfronts and signage also open during these hours.
- 8.17 It is therefore considered that the proposed signage would not cause any material impacts upon pedestrian or vehicular safety nor would the illumination lead to obtrusive light. The proposal is compliant with policies DM17 and DM23 of the SADMP.

9. Equality Implications

- 9.2 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.
- 9.3 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.
- 9.4 There are no known equality implications arising directly from this development.
- 9.5 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).

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 advertisements are 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, DM17, and DM23 of the SADMP and the wider policies of the NPPF.

11. 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 sign permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates.

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

4. The illuminated advertisements hereby permitted shall only be statically illuminated and shall not have a degree of brightness exceeding 600 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).

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

- Application Form received 7 November 2024
- Site Location Plan PU2175 00 received 7 November 2024
- Proposed Signage PU2175/03A received 3 January 2025

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.