

Delegated Report

Planning Ref: 24/00417/ADV

Applicant: HINCKLEY AND RUGBY BUILDING SOCIETY

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 37 Castle Street, Hinckley

Proposal: A replacement of 3 x existing fascia signs, removal of one projecting sign and replacement of one projecting sign. Removal of overhanging lighting.

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 a three replacement fascia signs and the removal of overhanging lighting and one projecting sign.

2.2. The advertisements will be lit at a luminance level of 650 cd/m2.

3. Description of the site and surrounding area

3.1. The development site is located along Castle Street and is adjacent to Castle Walk. Castle Street consists of a mix of commercial and retail units, with residential premises located above. The building already benefits from existing advertisements, and this application is to replace the existing signs. The site is located within the Conservation Area and is a Listed Building.

4. Relevant planning history

None

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. A press notice was posted within the Hinckley Times.

5.3. No responses have been received.

6. Consultation

6.1. HBBC Pollution: No objections.

6.2. HBBC Conservation: Comments included with the impact upon character of the conservation area 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) (2023)
- 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 highway safety

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 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 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 205-208 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. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building.
- 8.8 This application seeks permission for the replacement of 3 fascia signs and a projecting sign, and an alternative illumination arrangement, for the shopfront at 37 Castle Street, Hinckley, which is a grade II listed building located within the Hinckley Town Centre Conservation Area.

- 8.9 The listed building entry identifies the building as “House, now shop and office. Late C18 with later C20 alterations. Red brick with plain tile roof, hipped to left and brick end stack to the right. 3 storeys with moulded cornice to blocking course and brick pilaster strips to left and right. Regular 3-window front; glazing bar sashes with wedge-shaped plaster lintels. Central panelled door with fanlight, contained within a panelled doorcase with pilasters and open pediment. Later C20 plate glass shop and office fronts to left and right with wide fascias. The left hand front is continued around the rear wing return and there are inset glazed doors at the corner of the building. At the left hand end of the rear wing there are 3 glazing bar sashes of different widths to first and second floors, with wedge-shaped plaster lintels, the window to the left being separated from the others by a brick pilaster strip.”
- 8.10 The later 20th century extension currently houses part of the Hinckley & Rugby Building Society. The dual fronted shop front and corner entrance have recently been altered to have traditional detailing, and although the current advertisement scheme is primarily modern in terms of its materials and style the fascias are well proportioned and have an appearance which ensure they sit relatively comfortably upon the wider shopfront. However, there are trough lights that extend along the full width of the fascias so when in use there is an excessive amount of illumination for the advertisements.
- 8.11 It is proposed to replace the existing signage across the three fascias and the hanging sign with a folded aluminium tray fascia and sign, powder coated with a vinyl covering. The dimensions of the fascias and sign would be the same as existing, and the dark grey colours for the signage and new corporate font for the business being similar to the existing. The external trough lighting is to be removed, with internal LED back lit lettering.
- 8.12 In my opinion the proposed signage is appropriately positioned and scaled, and would be visually acceptable in terms of imaging, font and colours. The proposal would not result in an over-proliferation of signs around the perimeter of the application building. As they are replacement signs there would be no adverse physical impacts upon the listed building and the focused illumination to the lettering would reduce the light pollution effect of the current signage, thus reducing the impacts upon the amenities of the area, including the Hinckley Town Centre Conservation Area.
- 8.13 The proposed signage would preserve the character and appearance and thus significance of the Hinckley Town Centre Conservation Area and preserve the significance of the grade II listed building 37 Castle Street. Subsequently the proposal complies with Policies DM11 and DM12 of the SADMP DPD, section 16 of the NPPF and the statutory duty of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.
- Impact upon highway safety
- 8.14 Policy DM17 of the SADMP requires development to not have a significant impact upon highways safety.
- 8.15 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.16 The proposal is located on Castle Street which is a pedestrianised street. The level of luminance proposed is less than 650 cd/m² which is considered to be acceptable within this area. The size and position of the signs would not give rise to an unacceptable level of pedestrian or vehicular safety,

- 8.17 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.

Equality implications

- 8.18 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.
- 8.19 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.
- 8.20 There are no known equality implications arising directly from this development.
- 8.21 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

10. 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 illumination and projection of the advertisement would not cause any significant impacts upon pedestrian or vehicular safety. The proposed development is therefore deemed acceptable in accordance with Policies DM10, DM11, DM12, DM17, 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 650 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
- Site Location Plan
- Proposed Signage

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.