

Delegated Report

Planning Ref: 23/01141/ADV
Applicant: Dr Sarfraz Ahmad
Ward: Hinckley DeMontfort



Hinckley & Bosworth
Borough Council

Site: Essentia House, 56 Upper Bond Street, Hinckley

Proposal: Installation of signage to the front of a building

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 a sign at Essentia House, 56 Upper Bond Street, Hinckley. The sign will be permanent, made up of individually back-lit stainless steel, gold coloured letters that are 50cm high and will read 'ESSENTIA HOUSE'. It will be located on the front façade facing Upper Bond Street, centralised between the first and second storey windows approximately 6.5m above ground level. The overall width of the lettering is 5.8m and the letters have a maximum projection from the face of the building of just 5cm.

3. Description of the site and surrounding area

- 3.1. The application site is located within the settlement boundary of Hinckley to the north-west side of Upper Bond Street and south east side of Factory Road. It forms a small part of a designated employment allocation for mixed uses. The site measures approximately 0.16 hectares and currently comprises a vacant/part derelict 19th Century three storey factory building with a basement fronting onto Upper Bond Street together with external hard surfaced parking areas to either side with access from Upper Bond Street. An additional access to the main parking area is available from Factory Road.
- 3.2. The building is constructed of red facing brick walls and has a pitched roof front range with a perpendicular hipped roof rear range. The building has been vacant since 2007 and parts have been subject to damage by fire. Some internal repair/renovation works have since been undertaken by the applicants. The building is in the process of being extended and converted into apartments in accordance with planning permission 19/00982/FUL.
- 3.3. There are two storey residential flats to the south east of the site, a two storey terrace of houses to the north-west with long rear gardens backing onto the factory building. To the south west there are industrial premises and two public houses and to the north east a petrol filling station.

4. Relevant planning history

08/00086/FUL	Demolition of existing offices, erection of new offices and conversion of existing mill building into 23 flats.	Permitted	24.04.2008
19/00050/FUL	Conversion of factory building to form 35 residential apartments including three storey side extensions and alterations to	Withdrawn	04.04.2019

19/00982/FUL	elevations. Change of use and conversion of factory building including three storey side extensions and alterations to elevations to form 35 residential apartments.	Permitted	06.07.2020
22/00303/DISCON	Application to discharge Planning Conditions 3 (Drainage), 4 (Long Term SuDS Maintenance), 5 (Construction Traffic Management), 6 (Materials) and 7 (Windows) attached to planning permission 19/00982/FUL.	Discharged	29.07.2022

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, no responses have been received.

6. Consultation

- HBBC Pollution – no objection.

7. Policy

- 7.1. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM23: High Quality Shop Fronts and Advertisements
- 7.2. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.3. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

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

Design and Impact upon the character of the 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 Owing to the size, scale and location of the signage proposed, and its simple purpose of highlighting the name of the building, it would not be out of character with the approved development currently under construction or with the character of the area. The proposal therefore complies with DM10 and DM23.
- 8.6 Therefore the proposal is considered to be in accordance with Policies DM10 and DM23 of the SADMP.

Equality implications

- 8.7 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.
- 8.8 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.
- 8.9 There are no known equality implications arising directly from this development.
- 8.10 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

- 9.1 Overall the proposal is deemed acceptable within the context of the street scene and consented development under construction. 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 and DM23 of the SADMP and the wider policies of the NPPF

10. Recommendation

- 10.1 **Grant advertisement consent** subject to:
Planning conditions outlined at the end of this report
- 10.2 **Conditions and Reasons**

1. 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.

2. The advertisement(s) hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
- Site Location Plan - Drg No. PP-12635058v1. (Received on 28/11/2023)
 - Proposed Plans with Signage. (Received on 28/11/2023)
 - Application Forms (Received on 28/11/2023)

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