

Delegated Report

Planning Ref: 25/00215/ADV
Applicant: Mrs Amy Gilliver
Ward: Ratby, Bagworth and Thornton



Hinckley & Bosworth
Borough Council

Site: Land off Desford Lane, Ratby

Proposal: Erection of a free standing post mounted sign

1. Recommendations

1.1. **Refuse advertisement consent** for the reasons set out below.

2. Planning Application Description

2.1. This application seeks advertisement consent for the provision of one non-illuminated freestanding advertising sign at land off Desford Lane, Ratby between 27 February 2025 and 1 August 2025.

2.2. The signage is located behind an existing hedgerow along the north-western site boundary fronting Desford Lane. The face of the advertisement faces Desford Lane.

2.3. The advertisement is for Bellway Homes and contains the name 'Bellway' alongside an award accreditation symbol and the words 'Land Acquired'. Beneath this, the advertising states, 'more land wanted' and provides contact details for the Bellway sales team including website, email and telephone number.

2.4. The signage measures 5.8 metres in height by 2.4 metres in width by 0.15m in depth. The advertisement face measures 2.19 metres in height by 2.4 metres in width and is 3 metres above ground level. It is noted that a scaled measurement of the dimensions provided suggest that the signage would be 5.2 metres high, rather than the 5.8 metres stated, based on the measurements of all other elements.

2.5. The primary lettering 'Land Acquired' has a height of 0.25 metres and the section it sits within, alongside the award accreditation and Bellway lettering, has a height of 1.19 metres.

2.6. The advertisement has a dark blue background with white and orange lettering and white borders. It is constructed of aluminium composite panels with laminated UV-printed graphics. The freestanding posts are steel and will be finished in black.

3. Description of the Site and the Surrounding Area

3.1. The application site is known as Land off Desford Lane, Ratby. It is an agricultural field within the designated open countryside, located to the south of the settlement boundary of Ratby.

3.2. The application site has previously been granted outline permission on appeal for the construction of 225 dwellings with public open space, landscaping and a sustainable drainage system.

- 3.3. The application site red line includes the whole of the land included in the 225 dwelling scheme, however the immediate development site where the proposed signage is to be located, is to the north-west of the larger site.
- 3.4. The immediate development site is located adjacent Desford Lane, and to the south of the existing vehicular access to the wider site. It is located south of a Public Right of Way, Footpath R41, which continues on to the south-east. There is an existing hedgerow to the west, between the development site and Desford Lane.
- 3.5. To the north of the application site is Ratby Sports Club and its pitches and, beyond that, the village centre of Ratby.
- 3.6. To the west of the application site is Desford Lane which separates the site from areas within the National Forest and Charnwood Forest.
- 3.7. To the south of the application site is Stonecraft commercial site and a disused railway line. To the east is agricultural land within the designated open countryside.

4. Relevant Planning History

4.1 24/01090/REM

- Approval of reserved matters (access, appearance, landscaping, layout and scale) of outline planning permission 21/01295/OUT for 225 dwellings (including 40% affordable housing) with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point
- Pending Consideration

4.2 21/01295/OUT

- Outline planning application for the erection of up to 225 dwellings (including 40% affordable housing) with public open space, landscaping and sustainable drainage system (SuDS) and a vehicular access point. All matters reserved except for means of access.
- Refused (Appeal Allowed)
- 22.02.2023

5. Publicity

- 5.1 The application has been publicised by posting a site notice within the vicinity of the site.
- 5.2 No responses have been received.

6. Consultation

- 6.1 No response has been received from Ratby Parish Council.
- 6.2 LCC Highways have advised that they have no comment to make as the proposal has no material impact on the public highway.

7. Policy

- 7.1 Core Strategy (2009):
- Policy 7: Key Rural Centres
 - Policy 8: Key Rural Centres Relating to Leicester
- 7.2 Site Allocations and Development Management Policies (SADMP) DPD (2016):
- 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) (2024)
 - Planning Practice Guidance (PPG)
- 7.4 Other Relevant Guidance:
- Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. The key issues are:
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety

Design and Impact upon the Character of the Area

- 8.2 Paragraph 141 of Section 12 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. It goes on to state that advertisements should be subject to control only where this is in the interests of amenity and public safety, taking account of cumulative impacts.
- 8.3 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard 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. This includes that outdoor advertisements have no detrimental impact on public safety and do not represent a proliferation of unnecessary advertisements singularly or cumulatively.
- 8.5 The proposed signage would have a height of up to 5.8 metres with a width of 2.4 metres. The content of the advertisement is displayed with laminated graphics on aluminium composite panels with dimensions of 2.19 metres in height by 2.4 metres in width. The base of the composite panels are 3 metres above ground level.

- 8.6 The surrounds of the development site do not frequently include signage. Excluding essential traffic signage, the nearest examples of signage facing Desford Lane in the surrounds are the Ratby welcome sign to the north and the multi-tenancy Stonecraft signage to the south. These examples either sit below surrounding vegetation, begin at ground level, or in one instance, sit at the top of a low hedgerow and are estimated not to extend more than 1 metre above it.
- 8.7 The development site is located on a small rise along Desford Lane. As such, the scale of the signage would have greater visual impact against the skyline when viewed on approach from either direction.
- 8.8 Notwithstanding the potential inconsistencies in height, it is considered that the scale of the proposed signage is inconsistent with the character of its surrounds. The advertisement will project well above the existing hedgerow at a height uncharacteristic of the surrounding area. This would be exacerbated by its siting on the rise, which would make its scale more visually prevalent.
- 8.9 The proposed advertisement states 'Land Acquired' referring to the 225 dwelling scheme being brought forth by the Applicant on the application site. It contains the name of the Applicant, Bellway, and details of an award conferred to them by the Home Builders Federation. The lower half of the proposed advertisement states 'more land wanted' in capital letters and encourages the registering of interest followed by email, telephone and website details.
- 8.10 The proposed advertisement does not present as sales signage for the dwellings to be constructed on the application site. The Applicant has confirmed that specific sales signage is to follow in due course, which further reinforces that this is not the primary intention of this signage.
- 8.11 It is considered that the proposed advertisement, in its search for further land, has limited relevance to the site in which it is to be located. Furthermore, the information that it conveys is limited to Bellway's acquisition of the application site and their pursuit of further land for development, which is considered to be of limited general utility. It is therefore considered that the proposed signage would represent a proliferation of unnecessary advertisements as a singular advertisement.
- 8.12 In summary, the proposed signage would have a detrimental visual impact on the character of the area by virtue of its siting, design and scale, and would singularly represent an over proliferation of unnecessary advertisements. The proposal is therefore in direct conflict with Policies DM10 and DM23 of the SADMP.

Impact upon Residential Amenity

- 8.2 Policy DM23 of the SADMP requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light or have an adverse impact on amenity. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.

- 8.3 The proposed signage is not illuminated and therefore is not considered to have an adverse impact on neighbouring residential amenity in accordance with Policies DM10 and DM23 of the SADMP.

Impact upon Highway Safety

- 8.4 Policy DM23 of the SADMP states outdoor advertisements will be approved where they have no detrimental impact on public safety. This includes considerations which are relevant to the safe use and operation of any form of traffic or transport, and includes the safety of pedestrians. Policy DM17 requires development to not have a significant adverse impact upon highway safety.
- 8.5 The proposed signage is not illuminated and is to be sited behind the existing hedgerow along Desford Lane. It is located south of the Public Right of Way. It is therefore not considered that the signage would have an adverse impact on highway safety in accordance 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.
- 9.4 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 The proposed signage is considered to be inappropriate as it would have a detrimental visual impact upon the character of the surrounding area and would represent a singular over proliferation of unnecessary advertisements. The proposal

is therefore in conflict with Paragraph 141 of the NPPF and Policies DM10 and DM23 of the SADMP and it is recommended that advertising consent be refused.

11 Recommendation

11.1 Refuse advertisement consent for the reason detailed at the end of this report.

11.2 Reason

1. The advertisement would, by virtue of its location, scale and design have a detrimental impact upon the character of the surrounding area and represent an over proliferation of unnecessary advertisements contrary to Policy DM10 and Policy DM23 of the Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 141 of the National Planning Policy Framework (2024).

11.1 Notes to applicant

1. The plans used in the determination of this application are as follows:-
Site Location Plan
Block Plan, Drg. No 065-05-001
Site Location, Signage Dimensions and Location
All received 7 March 2025.