

Delegated Report

Planning Ref: 26/00515/ADV

Applicant: Consol Ltd

Ward: Burbage Sketchley & Stretton

Site: Consol 6 Rainbow Way Burbage



Hinckley & Bosworth
Borough Council

Proposal: 1 no. internally illuminated fascia 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. This application seeks advertisement consent for the installation of an internally illuminated fascia sign to 6 Rainbow Way, Burbage.
- 2.2. The proposed fascia sign would be situated to the buildings western (front) elevation. It would sit atop of and to the side of the existing fenestration measuring 2.85 – 7.53 metres in width, 0.27 – 2.37 metres in height and 0.20 metres in depth. The sign would be constructed out of an extruded aluminium flex face box painted in red (RAL 3011) with a matching digitally printed background and white lettering reading 'TANNING STUDIO – Consol'.
- 2.3. The sign would be constructed as to only allow illumination to the lettering which would be static internally illuminated to a level not exceeding 300cd/m².
- 2.4. During the course of the application the case officer has worked with the applicant's agent to reduce the illuminance of the sign to an acceptable level.

3. Description of the site and surrounding area

- 3.1. The application site relates to a retail unit situated within the settlement boundary of Burbage. The site forms part of a wider mixed-use development of 7 units and can be accessed to the north of Rugby Road. A communal parking area sits to the mid of the units and accommodates 53 parking spaces.
- 3.2. To the north of the site sits the railway line, with Rugby Road recreational ground to the east of the site. To the south/west of the site sits predominantly residential development alongside a mixture of uses such as a public house, retail, storage and industrial units.

4. Relevant planning history

11/00856/REM

- Approval of reserved matters for primary physical and green infrastructure details including the sketchley brook corridor, access road, structural landscape, open space and remodelling of the lake.
- Planning Permission
- 11.01.2012

18/00844/FUL

- Demolition of former DM Rock & Sons Garage and Johnsons Dry Cleaners including associated structures and the redevelopment for mixed uses (A1, A3 and B8) with associated parking and substation and provision of temporary accommodation for Johnsons Cleaners during the construction phase

- Planning Permission
- 01.02.2019

20/00914/FUL

- Use of unit for tanning salon (sui generis); 3no. air vents on northern elevation
- Refused
- 30.10.2020

22/00763/CLP

- Certificate of (Proposed) Lawful Use of Unit 1, 6 Rainbow Way as a solarium (tanning salon) class E
- Certificate of Proposed Lawful Use
- 14.10.2022

25/01005/CONDIT

- Variation of condition 2 (Plans) of planning permission 18/00844/FUL. Creation of new entrance with additional
- glazing on the south elevation to allow the unit to be split into two and increase parking provision.
- Planning Permission
- 13.01.2026

26/00213/ADV

- 1No. Non illuminated fascia backing panel with internally illuminated letters and logo
- Advertisement Consent
- 15.06.2026

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. Following the publications, no representations have been received.

6. Consultation

6.1. Burbage Parish Council:

- No objection.

6.2. HBBC Environmental Health (Pollution):

- No objection.

7. Policy

7.1. Burbage Neighbourhood Plan (BNP) (2015-2026)

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout

7.2. Core Strategy (2009)

- Policy 4: Development in Burbage

7.3. Site Allocations and Development Management Policies DPD (SADMP) (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM7: Preventing Flooding and Pollution
- Policy DM10: Development and Design

- 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 (GDG) (2020)
- National Design Guide (NDG) (2019)
- Lighting Professionals Professional Lighting Guide 05/23 “The Brightness of Illuminated Advertisements Including Digital Displays” (PLG05).

8. Appraisal

8.1. Key Issues

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

Design and impact upon the character of the area

8.2 Paragraph 141 of the NPPF recognises that the quality and character of places can suffer when advertisements are poorly sited and designed.

8.3 Policy DM10 of the adopted 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.

8.4 Policy DM23 of the adopted SADMP 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 Policy 2 of the BNP seeks to ensure that any future residential development within the Parish of Burbage must respect its surroundings and, where appropriate, should follow the existing pattern of development.

8.6 The proposed fascia sign would be situated to the buildings western (front) elevation and would replace two existing fascia signs to the buildings western elevation, but on a larger scale. It would sit atop of and to the side of the existing fenestration measuring 2.85 – 7.53 metres in width, 0.27 – 2.37 metres in height and 0.20 metres in depth. The sign would be constructed out of an extruded aluminium flex face box painted in red (RAL 3011) with a matching digitally printed background and white lettering reading ‘TANNING STUDIO – Consol’.

8.7 Whilst of a larger scale as the sign is appropriately designed, when considering the location of development and commercial nature of the site, it is not considered to cause detrimental impacts upon the character of the area. The proposal would also not constitute an over proliferation of advertisements. Therefore, the proposal is considered to be in accordance with Policies DM10 and DM23 adopted SADMP, Policy 2 of the BNP, and Paragraph 141 of the NPPF.

Impact upon public safety and amenity

8.8 Paragraph 141 of the NPPF recognises that advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

- 8.9 Policy DM7 of the adopted SADMP requires that development take all reasonable steps through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion.
- 8.10 Policy DM10 of the adopted SADMP states that development will be permitted where it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site
- 8.11 Policy DM17 of the adopted SADMP requires that development not have a significant impact upon highway safety.
- 8.12 Policy DM23 of the adopted SADMP requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.13 Table 10.4 and 10.5 of the Institution of Lighting Professionals - Professional Lighting Guidance (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' set out maximum luminance levels for illuminated signs.
- 8.14 The size and position of the sign would not give rise to an unacceptable level of pedestrian or vehicular safety as it would be situated a safe distance from the adjacent public highway. In addition to this, the proposed fascia sign would be illuminated to an acceptable level and conditions are considered necessary and reasonable to control this.
- 8.15 The nearest residential property would be situated 70.65 metres away from the site and therefore given the aforementioned acceptable illuminance there is not considered to be any adverse impacts upon residential amenity.
- 8.16 It is therefore considered that the proposed advertisement would not cause any material impacts upon residential amenity, or pedestrian or vehicular safety subject to conditions in compliance with Policies DM7, DM10, DM17 and DM23 of the adopted SADMP, Policy S8 of the SNP and Paragraph 141 of the NPPF.

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 area. The signs would not cause any significant impacts upon pedestrian or vehicular safety or public amenity. The proposed development is therefore deemed acceptable in accordance with Policies

DM7, DM10, DM17 and DM23 of the SADMP, Policy 1 and 2 of the BNP, 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

12. 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:

- Site Location Plan, Drg No.4643-12-PL-01;
- Proposed Elevations and Signage, Drg No.4643_v12 Rev.D; and
- Consol Hinckley External Signage Visuals as received by the Local Planning Authority on the 17th July 2026.

Reason: To protect the visual amenity of the area to accord with Policies DM1, DM10, DM17 and DM23 of the Site Allocations and Development Management Policies Development Plan Document and Policy 2 of the Burbage Neighbourhood Plan.

4. In the hours of darkness the advertisement display luminance shall be no greater than the recommended maximum night time luminance value set out in Table 10.4 within the Institution of Lighting Professionals - Professional Lighting Guidance (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide).

Reason: In the interests of amenity, public safety to accord with Policies DM1, DM7, DM10, DM17 and DM23 of the Site Allocations and Development Management Policies Development Plan Document and Policy 2 of the Burbage Neighbourhood Plan.

5. In daylight hours the advertisement display luminance shall be controlled in order to reflect ambient light conditions (to ensure it is neither too bright or too dull), and shall at all times shall be no greater than the recommended maximum daytime luminance values set out in table 10.5 within the Institution of Lighting Professionals - Professional Lighting Guidance (PLG 05) 'Brightness of Illuminated Advertisements including Digital Displays' (or its equivalent in a replacement guide).

Reason: In the interests of amenity, public safety to accord with Policies DM1, DM7, DM10, DM17 and DM23 of the Site Allocations and Development Management Policies Development Plan Document and Policy 2 of the Burbage Neighbourhood Plan.

13. 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.