

Delegated Report

Planning Ref: 23/01018/ADV
Applicant: Davidsons Homes
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Land At Wykin Lane, Stoke Golding

Proposal: Installation of advertisement signs for residential development

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 advertising signs for a residential development on land at Wykin Lane, Stoke Golding. There are four types of advertisement proposed. Consent is sought for a temporary period to 25 August 2028.
- 2.2. The first is a hanging sign at a height of 4.5m. The sign will be 0.8m wide and 0.85m tall.
- 2.3. The second is a flag at a height of 6m. The flag will be 1m wide and 2m tall.
- 2.4. The third is a small hoarding board, with a height of 1.4m. The board will be 0.6m wide and 0.9m tall.
- 2.5. The fourth is a medium hoarding board, with a height of 3.8m. The board will be 1.8m wide and 2.8m tall.

3. Description of the site and surrounding area

- 3.1. The site is located just outside the Stoke Golding settlement boundary and is therefore considered to be in the countryside. The site is currently being developed with planning permission for 55 dwellings.

4. Relevant planning history

- 19/01324/OUT: Residential development of up to 55 dwellings (Outline - access only). Allowed by appeal.
- 22/00595/CONDIT: Variation of Condition 14 (Biodiversity Management Plan) and Condition 16 (Vegetation Buffer) of Planning Permission ref: 19/01324/OUT (Construction of up to 55 dwellings, all matters reserved, except for access, at land at Wykin Lane, Stoke Golding, Nuneaton CV13 6JG) dated 21/05/2021. Variation to include; for Condition 14: removing the need to provide on-site mitigation for great crested newts as their mitigation is being addressed wholly off-site and for Condition 16: to reduce the extent of buffers proposed and references to great crested newts. Approved November 2022
- 22/01080/REM: Application for approval of Reserved Matters (relating to appearance, landscaping, layout and scale) of Outline Planning Permission 22/00595/CONDIT for the erection of 55 dwellings. Approved April 2023

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

- LCC Highways – no objection.
- HBBC Pollution – no objection.
- Stoke Golding Parish Council – no comment.

7. Policy

- 7.2. Core Strategy (2009)

- No relevant policies

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

- Policy DM4: Safeguarding the Countryside and Settlement Separation
- 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) (2021)
- Planning Practice Guidance (PPG)

- 7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues

- Impact upon the character of the area
- Impact upon highway safety

Design and Impact upon the character of the area

- 8.2 Paragraph 136 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 DM4 seeks to protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. Development will be considered sustainable where it meets one of 5 exceptions in criteria (a) to (e) and complies with provisions in criteria (i) to (v), including the avoidance of significant adverse effects on the countryside. None of the 5 exceptions are applicable to this application.
- 8.4 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.
- 8.5 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.

- 8.6 Owing to the size, scale and location of the advertisements proposed, and given their marketing purpose, they would not be out of character with the approved development currently under construction. The proposals therefore comply with DM10 and DM23.
- 8.7 Although the proposal is within the open countryside, it is not considered to infringe upon the countryside as a result of the approved development currently under construction.
- 8.8 Therefore the proposal is considered to be in accordance with Policies DM4, DM10 and DM23 of the SADMP.

Impact upon highway safety

- 8.9 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Paragraph 111 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.10 LCC Highways has no objections. The proposal is considered to be acceptable in terms of highway safety and parking provision and therefore complies with Policies DM17 of the SADMP.

Equality implications

- 8.11 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.
- 8.12 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.
- 8.13 There are no known equality implications arising directly from this development.
- 8.14 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 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 DM4, DM10, DM17 and DM23 of the SADMP and the wider policies of the NPPF

10. Recommendation

11.1 Grant advertisement consent subject to:

- Planning conditions outlined at the end of this report

11.2 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:
 - Flag & Sign Location - Drg No. 1189-701. (Received on 20/10/2023)
 - Signage and Flag Details - Drg No. 1203_703. (Received on 20/10/2023)
 - Site Layout - Drg No. 1189_100. (Received on 25/10/2023)
 - Site Location Plan - Drg No. Location Plan – 400. (Received on 25/10/2023)

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.

3. The advertisements hereby permitted shall be removed on or before 25 August 2028.

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.

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.