

Delegated Report

Planning Ref: 25/00240/ADV

Applicant: Mr Steve Green

Ward: Hinckley Castle



**Hinckley & Bosworth
Borough Council**

Site: Roundabout Rugby Road Burbage

Proposal: Five non-illuminated free standing signs

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 seeks advertisement consent for the installation of five non-illuminated freestanding signs on the roundabout located within the roundabout at Rugby Road / Crimson Way / Copper Drive / Rainbow Way, Burbage.

2.2. The advertisements would promote sponsors of maintenance of the roundabout, in this case N&G Windows and Conservatories and would have a blue and white colouring (with the exemption of the Leicestershire County Council element which would be green and white). They would measure 0.60 metre x 1.20 metre x 0.076 metre and would be elevated 0.35 metres from ground level to the base of the advertisement.

3. Description of the site and surrounding area

3.1. The application site relates to a roundabout situated at Rugby Road / Crimson Way / Copper Drive / Rainbow Way, Burbage. The site hosts a vast amount of vegetation, as well as a water vole. A public footpath also runs through the centre of the site providing access to and from the north and south of Rugby Road a classified B road. It is situated within of the settlement boundary of Burbage.

4. Relevant planning history

94/00492/ADV

- Traffic island at junction with Hawley Road, Hinckley, display of advertisement
- Advertisement Consent
- 11.07.1994

11/00095/GDOT

- Prior notification of proposed development by telecommunications code system operators for telecommunications installation
- Refused
- 31.03.2011

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. No comments have been received.

6. Consultation

6.1. LCC Highways:

"The Local Highway Authority (LHA) has been consulted on this advertising consent application for the installation of five non-illuminated freestanding signs within the roundabout at Rugby Road / Crimson Way / Copper Drive / Rainbow Way, Burbage.

The submitted application form states that the proposals relate to the established Sponsor a Roundabout scheme. The LHA therefore have no further comments to make on the proposals.

However, the LHA are aware of several highway trees located within the application site. The Leicestershire Highway Design Guide gives details on how the Councils natural assets should be protected from development within the highway which can be found at <https://www.leicestershirehighwaydesignguide.uk/highway-layouts-and-design/protecting-natural-assets>. Signs should be carefully sited outside the canopy of existing trees to avoid damage during installation and to avoid the need for regular pruning to maintain visibility/clearance.

Any signs which are proposed to be close to existing trees should be installed using hand-digging methods to ensure that all roots with a diameter of more than 25mm are retained. The recommendations contained in National Joint Utilities Group's (NJUG) Volume 4: Street Works UK Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees should be adhered to at all times to minimise impact.

In all such cases, please adopt the following specific measures to minimise the effects of the works:

- *Refer to NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees.*
- *Before starting the work identify the protection zone with marker paint or pegs. This will ensure that the installation team know the precise area where special precautions are required to avoid or minimise damage.*
- *All excavations using hand tools need to be carried out with great care to avoid damage to as many roots as possible. There must be close supervision during hand-digging operations and the installation team should understand what is required. All tree roots over 25mm in diameter should ideally be worked round and retained. If, however, it is necessary to remove these roots, a request for advice should be sought via forestry@leics.gov.uk.*

Informative

All proposed sign installations shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk>.

If you would like more information regarding the scheme, please see <https://www.keeganford.co.uk/sponsorship/leicestershire/>

6.2. Burbage Parish Council;

“Burbage Parish Council resolved to object to this application being detrimental to the street scene and contrary to Burbage Neighbourhood Plan Policy 2: Design and Layout 16.1, which seeks a reduction in the quantity of street furniture. Concern was also raised over the proposed signage causing distraction to drivers on this busy road.”

7. Policy

7.1. Burbage Neighbourhood Plan 2015-2026

- Policy 1: Settlement Boundary
- Policy 2: Design and Layout
- Policy 12: Important Trees

7.2. Core Strategy (2009)

- Policy 4: Development in Burbage

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- 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 (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon highway safety

Design and impact upon the character of the area

8.2 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.

8.3 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.

- 8.4 Policy 1 of the Burbage Neighbourhood Plan seeks to ensure that any future residential development within or adjacent to the settlement boundary is supported subject to complying with the other development plan policies.
- 8.5 Policy 2 of the Burbage Neighbourhood Plan seeks to ensure any future residential development respects its surroundings, follows the existing pattern of development and retains existing important natural features on the site. Concerns have been raised by Burbage Parish Council that the proposed signage would be detrimental to the street scene and contrary to Policy 2.
- 8.6 The advertisements proposed are located on the aforementioned roundabout and are proposed to credit the environmental enhancement of the roundabout which was made possible through the financial investment of the sponsor concerned with these advertisements. Five advertisements are proposed under this application which would measure 0.60 metre x 1.20 metre x 0.076 metre and would be elevated 0.35 metres from ground level to the base of the advertisement. They would be non-illuminated.
- 8.7 It is observed that a large amount of vegetation is present on the site. The proposed scheme of advertisements would, however, be situated outside the area of vegetation.
- 8.8 Given the nature of the location of the advertisements, and when considering the size and lack of luminance, and the fact that such advertisements are commonly found on roundabouts, it is considered that the proposed adverts would not detrimentally impact the character of the area and as such the proposal is considered to be in accordance with Policies DM10 and DM23 of the Site Allocations and Development Management Policies DPD and Policy 1 and 2 of the Burbage Neighbourhood Plan.

Impact upon highway safety

- 8.9 Policy DM17 of the SADMP requires development to not have a significant impact upon highways safety.
- 8.10 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.11 Concerns have been raised by Burbage Parish Council that the proposed signage would cause distraction to drivers. The proposal, submitted by LCC Highway Operation Control is not, however, considered to cause any detrimental impacts to highway safety, given their size and lack of luminance. Furthermore, free standing advertisements are not an uncommon addition to roundabouts within the borough.
- 8.12 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 Site Allocations and Development Management Policies DPD.

Impact upon ecology

- 8.13 Policy DM6 of the Site Allocations and Development Management Policies DPD states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:

- e) The need and benefits of the development in that location clearly
- f) It has been adequately demonstrated that the irreplaceable habitat
- g) Appropriate compensation measures are provided on site wherever possible and off site where this not is feasible.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

- 8.14 Policy 12 of the Burbage Neighbourhood Plan seeks to ensure that development proposals that damage or result in the loss of a tree or trees protected with a tree preservation order (TPO) or a tree or trees of significant amenity value and with important arboriculture, landscape or ecological significance, will only be permitted in exceptional circumstances.
- 8.15 The site is a known designated local wildlife site, notwithstanding this, as the proposed scheme of advertisements would be situated on the grassed area surrounding the roundabouts main area of vegetation the proposal would not result in the loss or deterioration of an irreplaceable habitat complying with Policy DM6 of the Site Allocations and Development Management Policies DPD and Policy 12 of the Burbage Neighbourhood Plan.

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 character and appearance of the area. The advertisements would not cause any significant impacts upon pedestrian or vehicular safety. The proposed development is therefore deemed acceptable in accordance with Policies DM1, DM6, DM10, DM17, DM23 of the SADMP, Policies 1,2 and 14 of the Burbage Neighbourhood Plan 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 advertisement(s) hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Application Form; and
 - Site Location Plan; and
 - Site Plan; and
 - Elevation Plan; and
 - Specification SheetAll as received by the Local Planning Authority on the 10th March 2025.

Reason: To protect the visual amenity of the area to accord with Policies DM1, DM6, DM10, DM17, DM23 of the SADMP, Policies 1,2 and 14 of the Burbage Neighbourhood Plan and the wider policies of the NPPF.

11.3 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.
- b) All proposed sign installations shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://www.leicestershirehighwaydesignguide.uk> If you would like more information regarding the scheme, please see <https://www.keeganford.co.uk/sponsorship/leicestershire/>
- c) The recommendations contained in National Joint Utilities Group's (NJUG) Volume 4: Street Works UK Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees should be adhered to at all times to minimise impact.

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