

Delegated Report

Planning Ref: 24/00164/ADV
Applicant: Mr Metin Sahin
Ward: Earl Shilton



Hinckley & Bosworth
Borough Council

Site: 11 Station Road, Earl Shilton

Proposal: One externally illuminated fascia sign to shopfront (Retrospective)

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 retrospective advertisement consent for one externally illuminated fascia sign to shopfront at 11 Station Road, Earl Shilton.

2.2. The fascia sign is above the entrance door and windows. It is 3.7m wide and 0.8m tall, with a black background, white logo and white lettering. It is illuminated by three trough lights.

3. Description of the site and surrounding area

3.1. The site is currently an operational commercial unit, located within the settlement boundary of Earl Shilton. The immediate vicinity comprises a mix of commercial and residential use.

4. Relevant planning history

4.1. None.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents and by putting up a site notice in the vicinity. No responses have been received.

6. Consultation

- LCC Highways – no objection.
- HBBC Pollution – no objection.

7. Policy

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

- Policy DM10: Development and Design
- Policy DM23: High Quality Shop Fronts and Advertisements

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)

7.4. 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 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 signs proposed and given their marketing purpose, they are not out of character with the street scene and have no significant detrimental effect on residential amenity.
- 8.6 Therefore the proposal is considered to be in accordance with Policies DM10 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 Overall the proposal is deemed acceptable within the context of the street scene. The proposed advertisement is therefore deemed acceptable in accordance with Policies DM10 and DM23 of the SADMP 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.

