

Delegated Report

Planning Ref: 24/00527/ADV
Applicant: MISS GEMMA FARNELL
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: Rear Of 55 To 59, High Street, Barwell

Proposal: Installation of non 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. The application is for advertisement consent for the installation of one non-illuminated fascia sign.

3. Description of the site and surrounding area

- 3.1. The development site is located to the rear of 55 to 59 High Street Barwell and serves Barwell Medical Centre. The site benefits from off-street car parking relating to the medical centre and is located in a residential area. The site is also located within the Conservation Area.

4. Relevant planning history

None

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. A press notice was posted within the Hinckley Times.
- 5.3. No responses have been received.

6. Consultation

- 6.1. HBBC Pollution: No objections.
- 6.2. HBBC Conservation: Comments included with the impact upon character of the conservation area section.
- 6.3. Barwell Parish Council: No objections.
- 6.4. LCC Highways: No objections.

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- 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) (2023)
- 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 conservation area
- Impact upon highway safety

Impact upon the character of the conservation area

- 8.2 Paragraph 141 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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.6 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.7 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building.
- 8.8 The advertisement is non-illuminated and consists of lettering advertising 'Barwell Medical Centre'. The design is considered to have no detrimental impacts on the character of the area by way of its simple design and it would not look out of character when considering the nature of the advertisement.
- 8.9 Due to its siting, scale, form and details the proposed signage will sit comfortably upon the western elevation of the medical centre, and as such it will have no adverse impact upon the character and appearance of the adjacent Barwell (High

Street) Conservation Area. Consequently, the proposal would preserve the significance of the conservation area and thus comply with Policies DM10, DM11, DM12 and DM25 of the Site Allocations and Development Management Policies DPD and section 16 of the NPPF.

Impact upon highway safety

- 8.10 Policy DM17 of the SADMP requires development to not have a significant impact upon highways safety.
- 8.11 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.12 The proposal is non-illuminated and following no objections from LCC Highways it is considered that the proposal would have no detrimental impact to highway safety.
- 8.13 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 SADMP.

Equality implications

- 8.14 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.
- 8.15 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.
- 8.16 There are no known equality implications arising directly from this development.
- 8.17 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

10. Overall the proposal is deemed acceptable within the context of the street scene and would preserve the character and appearance of the conservation area. The non-illuminated advertisement would not cause any significant impacts upon pedestrian or vehicular safety. The proposed development is therefore deemed acceptable in accordance with Policies DM10, DM11, DM12, DM17, 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.

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
- Site Location Plan
- Block Plan
- West Façade Lettering Plan

Reason: To protect the visual amenity of the area to accord with Policies DM1 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.