

Delegated Report

Planning Ref: 23/00734/ADV

Applicant: ONE STOP LTD ONE STOP

Ward: Markfield, Stanton and Fieldhead



Hinckley & Bosworth
Borough Council

Site: 162 Main Street, Stanton Under Bardon

Proposal: New Fascia and shop front

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 fascia and ACM Panel.

2.2. The application seeks approval for one fascia sign, and ACM Panel advertisement. The fascia sign includes external illuminance at 250 c/m2.

3. Description of the site and surrounding area

3.1. The site is located on Main Street, Stanton Under Bardon, which is a residential area. Main Street is made up of two-storey terrace, semi-detached and detached dwellings, with a mix of render and brick work used on the external elevations. The development site is a two-storey detached unit.

4. Relevant planning history

23/00197/FUL

- Single storey rear extension (following demolition of existing garage), change of use of part of the ground floor from residential to retail and alterations to shop front to include signage, shutter and materials.
- Planning permission
- 26.05.2023

23/00597/CONDIT

- Variation of condition 7 (Trading Hours) of planning permission 23/00197/FUL
- Planning permission
- 21.07.2023

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.

5.3. No responses have been received.

6. Consultation

6.1. Markfield Parish Council: 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 DM17: Highways and Transportation
- 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)
- Planning (Listed Buildings and Conservation Areas) Act 1990

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

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 The building which the adverts are to be installed on is situated within a residential area of Stanton Under Bardon. The building previously served the village as a convenience store with a non-lit fascia sign. The proposed advertisements included an externally lit fascia board, coloured red with the 'One Stop' branding coloured in blue. Alongside this ACM signage will be located on the glass access.

8.6 It is considered that this would not constitute an over proliferation of advertisements and when considering the former signage for the store, and the limited levels of luminance (250 cdm²), it is not considered to cause detrimental impacts upon the character of the area. Therefore the proposal is considered to be in accordance with Policies DM10 and DM23 of the SADMP.

Impact upon highway safety

- 8.7 Policy DM17 of the SADMP requires development to not have a significant impact upon highways safety.
- 8.8 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.9 The road the proposal is situated along is Main Street. The level of luminance proposed is less than 250cd/m² which is acceptable in this area, subject to a condition that the proposed adverts do not exceed this limit. The size and position of the signs would not give rise to an unacceptable level of pedestrian or vehicular safety.
- 8.10 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

- 8.11 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

- 10. Overall the proposal is deemed acceptable within the context of the street scene and would preserve the character and appearance of the area. The illumination and 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 DM10, 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 sign permitted by this consent shall only be illuminated during the opening hours of the premises to which it relates.

Reason: To comply with the requirements of Schedule 2 Regulation 2(1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. The illuminated advertisements hereby permitted shall only be statically illuminated and shall not have a degree of brightness exceeding 250 candelas per square metre.

Reason: In the interests of the visual amenities of the locality and the character and appearance of the area and so that drivers of vehicles on the highway are not dazzled or distracted in accordance with Policy DM23 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. The advertisement(s) hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Proposed site signage
 - Fascia Sign Specification
 - Site Location Plan
 - Application Form

Received by the Local Planning Authority on 27 July 2023

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.