

Delegated Report

Planning Ref: 24/00633/ADV
Applicant: Mr R Litherland
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Hinckley House School 8 Rectory Lane Market
Bosworth

Proposal: 1 non-illuminated entrance sign

1. Recommendations

- 1.1. **Grant advertisement consent** subject to:
- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This application seeks advertisement consent for the provision of one non-illuminated freestanding entrance sign at Hinckley House School, 8 Rectory Lane, Market Bosworth between 01 July 2024 and 01 July 2034. The signage is located on the western side of the entrance to the site behind the existing brick boundary wall.
- 2.2. The advertisement states, 'Hinckley House School' and fronts Rectory Lane. The signage externally measures 3.1m in height by 1m in width by 0.08m in depth and is located 2m from the ground. The lettering of the advertisement has a height of 42.5cm and is grey and blue in colour on a purple background. The signage is constructed in double sided di-bond aluminium.

3. Description of the Site and the Surrounding Area

- 3.1. The 6,400sqm application site consists of The Old Rectory, which is a Grade II Listed Building. The application site is within historic core of the Market Bosworth Conservation Area (MBCA) in the identified settlement boundary of Market Bosworth, which is classified as a Stand Alone Key Rural Centre within the adopted Core Strategy. The Market Bosworth Conservation Area Appraisal (MBCAA) (2014) identifies the impressive grounds around the Old Rectory as a key space and the trees around the perimeter of the grounds as important trees.
- 3.2. Despite its status, there is a general lack of visibility of the building from outside its grounds due to the tall walls along Rectory Lane and the preponderance of trees along the boundary. Nevertheless, due to its architectural and aesthetic value and the impressive verdant grounds, The Old Rectory and its setting provide a positive contribution to the character and appearance of the Market Bosworth Conservation Area.

- 3.3. There is an existing Tree Preservation Order (TPO) within the application site (83/00005/TPO), which consists of 57 trees that are identified within four groups across the site, and nine further individually specified trees. Group G1 is located to the northwest of the Listed Building, whereas Group G2 is located to the southwest of the heritage asset. Group G3 is located to the eastern boundary of the site, and Group G4 is sited towards to the south-eastern corner of the site. Trees T4 to T9 are located to the south of Group G4. All the mature and well-established trees around the site are considered to contribute positively to the character and appearance of the Market Bosworth Conservation Area.
- 3.4. To the southwest of The Old Rectory is The Coach House, which has a clear physical and historical relationship with the heritage asset as an ancillary outbuilding. Whilst The Coach House is not mentioned within The Old Rectory's Historic England Listing Entry (1361308), the property is identified within the MBCAA as an Important Local Building. The Coach House was recently granted planning permission to be converted into a new, distinct dwelling via application 22/01133/FUL.
- 3.5. The Old Rectory is accessed via Rectory Lane, which is an adopted and classified 'C' road that is subject to a 30mph speed limit. Rectory Lane is a one-way street, with vehicles travelling from east to west.
- 3.6. To the north of the site is Market Bosworth Bowling Club and properties within Market Bosworth. To the east of the site is a number of residential dwellings that are accessed via Cedar Drive, but beyond these properties is Market Bosworth Country Park. To the south of the site is open countryside. The west of the site is the historic core and centre of Market Bosworth.
- 2.3. The conversion of the Old Rectory to a school was approved via application 23/00667/FUL. The development provides school spaces for 40 pupils between 5 and 11 years old and employs 40 full-time equivalent members of staff (30 full-time and 20 part-time). The Special Educational Needs school operates on a traditional 38-week school term on Mondays to Fridays between 08:00 and 17:00, but the schooling hours are between 08:30 and 15:00.

4. Relevant Planning History

4.1 24/00695/NMA

- Non-material amendment to planning permission 23/00667/FUL. Amendment to the timescale attached to Conditions 14 and 15.
- Approved
- 13.08.2024

4.2 23/00668/LBC

- Change of use of The Old Rectory from dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1), alterations to the building and other works within the curtilage of listed building.

- Permitted
- 15.12.2023

4.3 23/00667/FUL

- Change of use of The Old Rectory from a dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1), erection of two single storey classrooms, a Multi-Use Gaming Area (MUGA), revised parking layout with electric charging points, widening of access, replacement perimeter fencing and external landscaping, works to trees and other works.
- Permitted
- 15.12.2023

5. Publicity

5.1 The application has been publicised by posting a site notice within the vicinity of the site.

5.2 The Market Bosworth Society (MBS) objected to the development because the name of the school does not reflect the heritage and history of the Listed Building, nor of Market Bosworth. The MBS also objected to the chosen colours of the advertisement as they do not match the immediate area of the heritage of the building.

5.3 No further responses have been received.

6. Consultation

6.1 Market Bosworth Parish Council strongly objects to the proposal due to the name of the school and the proposed signage being incongruous with the heritage, environs, and location of the site.

6.2 There have been no objections from the following consultations:

- Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer

6.3 There have been no further responses to consultation.

7. Policy

7.1 Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone

7.2 Site Allocations and Development Management Policies (SADMP) DPD (2016):

- 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 Market Bosworth Neighbourhood Plan 2014 – 2026 (MBNP) (2015):

- Policy CE1: Character and Environment

7.4 National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (December 2023)
- Planning Practice Guidance (PPG)

7.5 Other Relevant Guidance:

- Market Bosworth Conservation Area Appraisal (MBCAA) (2014)
- National Design Guide (2019)

8. Appraisal

8.1. The key issues in respect of this application are:

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

Design and Impact upon the Character of the Area

8.2 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

8.3 Policy 11 of the adopted Core Strategy requires new development to respect the character of the Market Bosworth Conservation Area.

8.4 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.5 Policy CE1 of the MBNP states that all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout, and materials to retain local distinctiveness and create a sense of place.

- 8.6 Paragraph 141 of Section 12 of the NPPF states that, “*The quality and character of places can suffer when advertisements are poorly sited and designed,*” and, “*Advertisements should be subject to control only in the interests of amenity and public safety, taking into account of cumulative impacts.*” Policy DM23 of the SADMP sets out the circumstances in which applications for outdoor advertisements will be approved by the Borough Council.
- 8.7 Following discussions with the Council’s Conservation Officer, the Local Planning Authority consider the advertisement to be appropriately sited and scaled. The colours, font, and tone of the signage is also not considered to have an adverse visual effect upon the character of the area. Therefore, the proposal is considered to preserve the significance of the Market Bosworth Conservation Area. Given the positioning of the signage, the proposal is considered to be compatible with the significance of the Grade II Listed Building. By virtue of these factors, the advertisement is considered to be compliant with Policy 11 of the adopted Core Strategy, Policies DM10, DM11, DM12, and DM23 of the SADMP, and Policy CE1 of the MBNP.

Impact upon Residential Amenity

- 8.2 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light or have an adverse impact on amenity. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.3 The development is not illuminated and therefore is not considered to have an adverse impact on neighbouring residential amenity in accordance with Policies DM10 and DM23 of the SADMP.

Impact upon Highway Safety

- 8.4 Policy DM23 of the SADMP states outdoor advertisements will be approved where they have no detrimental impact on public safety. Public safety means the considerations which are relevant to the safe use and operation of any form of traffic or transport (including the safety of pedestrians). Policy DM17 requires development to not have a significant adverse impact upon highway safety.
- 8.5 The development is not illuminated and positioned behind the brick boundary wall from Rectory Lane within the application. Therefore, the signage is not considered to have an adverse impact on neighbouring residential amenity in accordance with Policies DM17 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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that advertisement consent is granted, subject to the imposition of appropriate conditions.

11 Recommendation

11.1 **Grant advertisement consent** subject to:

- Planning conditions detailed 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 ten 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. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
 - Proposed Signage (submitted: 25.06.2024)
 - Site Location Plan 23.009(9-)-002 (submitted: 25.06.2024)
 - Site Plan – Existing Signage 23.009(9-)-004 (submitted: 25.06.2024)

- Site Plan – Proposed Signage 23.009(9-)005 (submitted: 25.06.2024)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11, DM12, and DM23 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The advertisements hereby permitted shall not be carried out otherwise than in complete accordance with the details within in the Application Form (submitted: 25.06.2024) and Proposed Signage (submitted: 25.06.2024) received by the Local Planning Authority.

Reason: To ensure the visual amenity of the area to accord with Policies DM1, DM10, DM11, DM12, and DM23 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. 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.