**DELEGATED REPORT**

**Recommendation Made: 24 June 2011**

**Reference:- 11/00330/ADV** **Parish:- Peckleton Parish Council**

**Applicant:-**

**Alexandra Buildings**
**Windermere**
**Cumbria**
**LA23 1BQ**

**Location:- Woodlands Nurseries Ashby Road Stapleton Leicester Leicestershire**

**Proposal:- ERECTION OF ONE ADVERTISEMENT**

**Introduction:-**

This application is seeking advertisement consent to display an internally illuminated fascia sign at Woodlands garden centre. The fascia sign is a powder coated blue colour with a yellow logo and white lettering. These letters represent the corporate colours of Lakeland.

The site is occupied by a Lakeland home store concession which is located within the Woodlands garden centre. The site is located within the open countryside. The proposed fascia sign is to be sited on the southern elevation of the garden centre building facing onto the car park, in close proximity to the main pedestrian entrance into the building. The building is constructed from brick with opaque composite cladding.

An amended plan was received on 28 June 2011 showing the removal of the internal illumination to the proposed fascia sign.

Relevant Planning History:-

No relevant planning History

**Consultations:-**

No objection has been received from:-

Director of Environment and Transport (Highways)
Stoke Golding Parish Council
Peckleton Parish Council
Neighbours
Ward Members

A site notice was displayed and neighbours notified. No letters of comment or objection have been received

**Development Plan Policies:-**

Applications for advertisement consent are considered against the statutory requirements of S.220 of the Town and Country Planning Act 1990 (as amended). The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 confirms that a local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account:
(a)the provisions of the development plan, so far as they are material; and
(b)any other relevant factors.
National policy guidance
- Planning Policy Guidance 19 (PPG19)
- Circular 03/07

Local Development Framework: Adopted Core Strategy (2009)

No relevant policies

Hinckley _ Bosworth Local Plan

BE1- Siting and Design
BE26: Light Pollution
NE5- Development in the Countryside
T5 - Highway Safety and Design

**Appraisal:-**

The main issues in this case are the principle of development, the impact of development upon the building, street scene and countryside and impact upon neighbour amenity.

Principle

The site is situated within the countryside where advertisements of this nature would not normally be allowed as they constitute unnecessary clutter and are harmful to the rural character. However, the site is an established business which has been in operation for some considerable time. It is noted that, along this main road into Hinckley there are a number of businesses with advertisements displayed. The applications identified along this part of Ashby Road which have been approved are all for non-illuminated signage. The application is therefore considered to be acceptable in principle subject to all other planning considerations being acceptable. An amended plan was received from the applicant's agent on 28 June 2011 showing the removal of the internal illumination from the proposed fascia sign. It is considered that the removal of the internal illumination results in an advert that is acceptable in terms of its visual amenity in this countryside location.

Visual Amenity

Within the specific statutory context of amenity policy BE1 seeks to guide development to complement or enhance the character of the surrounding area with regards to scale, layout, design and materials used and policy NE5 seeks to protect the countryside for its own sake and suggests that development should have no adverse impacts on its character or visual amenity. The advertisement will be visually prominent on the garden centre building given its location overlooking the visitor car park. However the fascia sign will not be visible from the highway to the east (A447) and it will be sited on the part of the garden centre which is screened behind the front elevation that protrudes approximately 35m further forward towards the car park. However, following receipt of the amended plan showing the removal of the internal illumination from the proposed fascia sign it is considered that the proposed advertisement is less intrusive without illumination and given the dark blue background and white lettering the proposed advert is acceptable in terms of visual amenity and the countryside location.

Neighbours Amenity

There are no near neighbours to the site considered to be affected by the signage.

Highway Safety

The Director of Environment and Transport (Highways) has raised no objections to the proposal.

Conclusion

The non-illuminated advertisement sign proposed at this location is not considered to adversely affect public or highway safety, or to have a detrimental impact on either visual amenity or on the character of the countryside. Accordingly, the display of the proposed fascia sign is considered acceptable in this countryside location.

**Recommendation:- Consent to Display Advertisement subject to the following conditions:-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that the proposed advertisement would be in accordance with the development plan and would not harm public or highway safety or visual amenity. Therefore its display is considered acceptable in this countryside location.

Within the context of the statutory requirements of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, NE5 and T5

1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: 11944-5, 1 Revision C received on 28 June 2011.

**Reasons :-**

1 For the avoidance of doubt and in the interests of proper planning.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

**Contact Officer:- Scott Jackson Ext 5929**