

Delegated Report

Planning Ref: 25/00418/ADV

Applicant: Mr Rodrigo Hernandez

Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 65 Castle Street Hinckley Leicestershire

Proposal: Internally illuminated fascia sign (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 seeks retrospective advertisement consent for the installation of an internally illuminated fascia sign at 65 Castle Street, Hinckley.
- 2.2. The proposed advertisement would be located to the site's frontage atop the door of 65 Castle Street, with various advertisements located by the side of the entrance door and on the windows to the shop. It would measure 7.64 x 0.93 x 0.10 metres. It would be a dark black box aluminium sign with internally illuminated (150 cd/m²) white acrylic letters.

3. Description of the site and surrounding area

- 3.1. The application property is a three storey building with a commercial ground floor located within the Hinckley Town Centre Conservation Area. It dates from early 19th century with the facing walls to the first and second floors being whitewashed render lined to simulate ashlar stone. The building has a Welsh slate roof, with cornice on paired brackets, and small paned casement windows to the upper floors. These features provided the building with historic and architectural interest, and it contributes positively to the character and appearance and thus significance of the conservation area. The building is identified as being locally important within the Hinckley Town Centre Conservation Area Appraisal (HTCAA) (2013).
- 3.2. The ground floor shopfront is a later 20th century alteration to the front elevation of the building, and before the works for which consent is now being sought were undertaken it consisted of a brick frontage with central timber mutli-paned door, flanked by two large mutli-paned windows (one a bow window, the other flush), a non-illuminated fascia board across the full width of the frontage and set at the upper level of the ground floor brickwork, and two fixed signs of differing sizes either side of the central entrance door. The existing fascia board has some areas of various bright colours below the main text, but the predominant colours across the fascia board and upon the signage flanking the doors were relatively muted, consisting of a black background and white text.

4. Relevant planning history

78/01545/ADV

- Alterations and extensions to premises
- Planning Permission

- 26.09.1978

24/00942/ADV

- Internally illuminated fascia and acrylic letters on windows and door
- Refusal of Advertisement Consent
- 02.12.2024

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site, and a notice was displayed in the local press.
- 5.2. Following publication no objections have been received.

6. Consultation

- 6.1. HBBC Environmental Health (Pollution):

'No objection.'

- 6.2. HBBC Conservation Officer:

'The proposal is for a replacement fascia box of the same dimensions and siting and previous. The fascia box has internally illuminated white acrylic letters and is coloured black, as per the previous fascia. To the side of the front door there is an additional fixed sign coloured in black advertising the goods on sale at the premises. Further signage has been applied within the bottom sections of the recently replaced aluminium framed shop front windows and door. This current arrangement of advertisements has been implemented to the agreement of the LPA in response to a previous phase of installations which was refused (ref 24/00942/ADV).

The colour and dimensions of the fascia provide it with a similar appearance as per the previous signage scheme. The additional elements, including the internal illumination to the fascia signage, fixed sign next to the door, and graphics to the windows and doors are considered to have a negligible effect on visual amenity and the character and appearance of the area.

For these reasons it is considered that the proposal would have no adverse impacts upon the character and appearance of the property and the wider Hinckley Town Centre Conservation Area, thus preserving its heritage significance. Subsequently the proposal complies with Policies DM11 and DM12 the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.'

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) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the Conservation Area
- Impact upon public safety and amenity

Design and impact upon the character of the area and Conservation Area

- 8.2 Policy DM10 of the Site Allocations and Development Management Policies DPD states that of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.3 Policy DM23 of the Site Allocations and Development Management Policies DPD sets out the circumstances in which applications for outdoor advertisements will be approved by the Borough Council. The criteria includes that they have no adverse impact on amenity and that they do not represent an over proliferation of unnecessary advertisements singularly or cumulatively.
- 8.4 Paragraph 136 of the National Planning Policy Framework (NPPF) states that the quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interest of amenity and public safety, taking into account of cumulative impacts.
- 8.5 Section 16 of the National Planning Policy Framework (NPPF) (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 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.
- 8.6 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty in the exercise of planning functions stating that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 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 and proposals which seek to improve neutral and negative areas inside conservation areas, which also lead to the overall enhancement of the conservation area, will be supported.

- 8.8 The Hinckley Town Centre Conservation Area Appraisal recognises the detrimental impact of poor quality shop fronts upon the character and appearance of conservation area, and the Council's Good Design Guide (chapter 8) provides clear and specific guidance for what will be expected from the design of replacement shopfronts.
- 8.9 The proposal is for a replacement fascia box of the same dimensions and siting and previous. The fascia box has internally illuminated white acrylic letters and is coloured black, as per the previous fascia. To the side of the front door there is an additional fixed sign coloured in black advertising the goods on sale at the premises. Further signage has been applied within the bottom sections of the recently replaced aluminium framed shop front windows and door. This current arrangement of advertisements has been implemented to the agreement of the LPA in response to a previous phase of installations which was refused (ref 24/00942/ADV).
- 8.10 The colour and dimensions of the fascia provide it with a similar appearance as per the previous signage scheme. The additional elements, including the internal illumination to the fascia signage, fixed sign next to the door, and graphics to the windows and doors are considered to have a negligible effect on visual amenity and the character and appearance of the area.
- 8.11 For these reasons it is considered that the proposal would have no adverse impacts upon the character and appearance of the property and the wider Hinckley Town Centre Conservation Area, thus preserving its heritage significance. Subsequently the proposal complies with Policies DM10, DM11, DM12 and DM23 the Site Allocations and Development Management Policies DPD, section 16 of the NPPF, the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and paragraph 136 of the National Planning Policy Framework (NPPF).

Impact upon public safety and amenity

- 8.12 Policy DM17 of the Site Allocations and Development Management Policies DPD requires that development not have a significant impact upon highway safety.
- 8.13 Policy DM23 of the Site Allocations and Development Management Policies DPD also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.14 The proposed signage addresses Castle Street which is a pedestrianised street where through traffic is restricted. The size and position of the signage does not give rise to any concerns over pedestrian or vehicular safety.
- 8.15 The proposed maximum level of luminance for the sign is 150 cd/m² for the lettering on the fascia sign. As the opening hours for the store are 9:30-17:30 Monday-Saturday and 10:00-16:00 on Sundays, the illumination would for most of the year only be on during daylight hours. Any perceived impacts during the twilight hours between late October and mid-February are considered negligible given the site is surrounded by other illuminated shopfronts and signage also open during these hours.
- 8.16 It is therefore considered that the proposed signage would not cause any material impacts upon pedestrian or vehicular safety, nor would the illumination lead to obtrusive light. The proposal is compliant 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.

10. Conclusion

10.1 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 level of illumination and projection of the advertisement is not considered to cause any significant impacts upon public amenity or safety. The proposed development is therefore deemed acceptable in accordance with Policies DM10, DM11, DM12 and DM23 the Site Allocations and Development Management Policies DPD, section 16 of the NPPF, the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and paragraph 136 of the National Planning Policy Framework (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.V

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;
 - Location Plan, Drg No. ME4625-01;
 - Block Plan, Drg No. ME4625-02;
 - Proposed Plans and Elevations, Drg No. ME4625-03;
- All as received by the Local Planning Authority on the 23rd April 2025.

Reason: To protect the visual amenity of the area to accord with Policies DM10, DM11, DM12 and DM23 the Site Allocations and Development Management Policies DPD, section 16 of the NPPF, the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and paragraph 136 of the National Planning Policy Framework (NPPF).

4. The illuminated advertisement hereby permitted shall only be statically internally illuminated and shall not have a degree of brightness exceeding 150 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 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.

11.3 **Notes to applicant**

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.