

Delegated Report

Planning Ref: 25/00715/ADV

Applicant: Wildstone Estates Limited

Ward: Burbage St Catherines & Lash Hill

**Site: Burbage Road Service Station, Burbage Road, Burbage,
Hinckley LE10 2TP**



Hinckley & Bosworth
Borough Council

Proposal: Erection of a internally illuminated digital advertisement screen

Case Officer: Gwion Russell (Planning Officer)

1. Recommendations

1.1. Grant advertisement consent subject to:

- Conditions outlined at the end of this report

2. Planning application description

- 2.1. This application proposes a single-sided internally illuminated digital advertisement screen within the boundary of the 'ESSO' fuel station located at Burbage Road Service Station, Burbage Road, Burbage, Hinckley LE10 2TP. The site is currently in use as a petrol filling station (PFS) and retail unit. The internally illuminated signs are proposed within the site boundary to the left side elevation (southeastern corner) and adjacent to a vehicle access entryway. There is only one digital advertisement screen proposed which would exhibit static advertisements on rotation.
- 2.2. The proposed structure is a freestanding unit with an overall height of 2400mm, width of 1230mm, depth of 220mm. The visible screen area has a height of 1650 mm and a width of 928 mm. The base plate dimensions have a width of 1230mm and depth of 220mm, is 410mm above ground level and is constructed using lightweight digital LED panels.
- 2.3. The proposed structure is proposed to face any vehicles accessing the site and is angled in a way that will be seen by vehicles entering and exiting the site and pedestrians walking past the site along Burbage Road, but specifically drivers travelling northbound on Burbage Road.

3. Description of the site and surrounding area

- 3.1. The application site, which is currently a mixed retail/'sui generis' use class under ownership of Motor Fuel Group, along Burbage Road and in the midst of residential and commercial/retail units to its northwest and within the adjacent business centre and residential dwellings to the southeast and opposite the application site. There are mainly residential semi-detached dwellings surrounding the site, and approximately 8 dwellings which look directly onto the application site. There is an electrical substation to the rear of the site. The site is not within a conservation area nor is it in immediate proximity to any listed building, however is identified as being within a swift nesting site. The application site sits in the centre of the settlement boundary of Burbage.

4. Relevant planning history

00/00476/FUL

- INSTALLATION OF 1 NO 50,000 LITRE UNDERGROUND PETROLEUM STORAGE TANK

- WDN
- 05.06.2000

00/00599/ADV

- DISPLAY OF REPLACEMENT SIGNS
- ADV
- 17.07.2000

02/00962/ADV

- ILLUMINATED ATM SIGN
- ADV
- 11.10.2002

02/00964/FUL

- INSTALLATION OF ATM MACHINE
- PER
- 01.10.2002

95/00147/ADV

- ILLUMINATED GARAGE FORECOURT AND FASCIA SIGNS
- ADV
- 25.04.1995

97/00189/FUL

- ENCLOSURE OF WASH BAY, REPLACEMENT OF WASH MACHINERY AND INSTALLATION OF JET WASH FACILITY
- PER
- 29.05.1997

97/00193/ADV

- ILLUMINATED SIGNS
- ADV
- 24.04.1997

07/00092/FUL

- ERECTION OF FREE STANDING ATM AND BOLLARDS
- PER
- 13.03.2007

23/00514/FUL

- Demolition of car wash and the erection of charging zone to include EV chargers and canopy, two jet wash bays, substation and associated forecourt works.
- PER
- 10.08.2023

88/01250/4

- ERECTION OF A BRICK BUILT SHED FOR THE STORAGE OF RAW MATERIAL
- PER
- 22.11.1988

84/00202/4

- INSTALLATION OF ABOVE GROUND DIESEL TANK AND PUMP AT EXISTING PETROL FILLING STATION
- PER
- 27.03.1984

90/00939/4A

- DISPLAY OF FREE STANDING ILLUMINATED FORECOURT SIGN
- ADV
- 17.09.1990

88/00815/4A

- DISPLAY OF COMPANY MONOLITH POLE SIGN AND ILLUMINATED CANOPY FASCIA
- ADV
- 23.08.1988

5. Publicity

- 5.1. The application has been publicised by sending out letters to nearby businesses and 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 There have been no objections from the following consultees:

- Burbage Parish Council.

- 6.2 Whilst Leicestershire Highways have not explicitly objected to the application they have advised the following:

"Illuminated signs must not exceed luminance levels of 800 cd/m² where the illuminated area is up to 10 square metres, or 600 cd/m² where the illuminated area is over 10 square metres (Zone E3 – Medium district brightness area)."

- 6.3 No further responses have been received.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 4: Development in Burbage

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

7.1 Burbage Neighbourhood Plan 2015 – 2026 (BNP) (2021):

- Policy 2: Design and Layout
- Policy 3: Business and Retail

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) (Section 8)
- National Design Guide (2019)
- Burbage Neighbourhood Plan (Chapter 16 – Street Furniture)

8. Appraisal

8.1. Key Issues

- Impact upon the character of the area
- Impact upon neighbouring amenity
- Impact upon highway safety

Impact upon the character of the area

8.2 Policies DM10 of the Site Allocations and Development Management Policies (SADMP) DPD seek to ensure that the siting and design of proposals respect the existing building, neighbouring structures and overall street scene

8.3 Policy DM23 of the SADMP states outdoor advertisements which require consent will be approved by the Borough Council where they have no detrimental impact on public safety, they do not represent an over proliferation of unnecessary advertisements singularly or cumulatively, they have no adverse impact on amenity, and they maintain or enhance the character of the conservation area.

8.4 Policy 2 of the Burbage Neighbourhood Plan states ‘any future residential development within the Parish of Burbage must respect its surroundings’. Although the proposals are not residential the signage is in a predominantly residential area. Policy 3 states development should be in keeping with the scale, form and character of its surroundings, should not significantly adversely affect the amenities of residents in the area and should not cause harm to highway safety.

8.5 Paragraph 141 of the National Planning Policy Framework (2024) states that poorly placed/designed advertisements can have a negative impact on the appearance of the built and natural environment. Only those advertisements which would clearly have an appreciative impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisement should be subject to control only in the interest of amenity and public safety, taking into account cumulative impacts.

- 8.6 The adopted Good Design Guide contains guidance relating to advertisements and states that there should be consideration given to illumination and the colours of proposed signage.
- 8.7 The proposed signage is a freestanding unit with a height of 2400mm, width of 1230mm, depth of 220mm. As such, there are no retail units/advertisements nearby to compare it to but as it sits back approximately 7200mm from the highway it has little prominence within the wider street scene. The proposed free-standing advertisement would be constructed from suitable materials and be of similar style and scale to existing freestanding advertisements in the borough. The site has various other signage including free-standing hoarding to the front of the site. The proposal will add to the cluttered appearance of the site but not in a significant way given the scale, solitary number and siting of the advertisement.
- 8.8 The sign is proposed to be illuminated and the application form states "Brightness would be 300cd/sqm from dusk to dawn and up to 5,000 cd/sqm at all other times dependent on time of day/year and ambient conditions, in line with ILP Guidance". Whilst the dusk to dawn illuminance of 300cd/sqm is acceptable in this suburban environment the illumination should not exceed 800cd/sqm to avoid adverse visual impacts from the signage. A condition is recommended to limit this.
- 8.9 The proposal is not in a conservation area, near to a listed building or in an area of high heritage value and will be viewed in the context of the commercial nature of the site the proposal will not harm the amenity of the area.
- 8.10 As such it is considered that the proposal is in general accordance with the design guidance in Policy DM10 of the SADMP, Policy DM23 of the SADMP and the Good Design Guide subject to the aforementioned condition regarding illumination.

Impact upon neighbouring amenity

- 8.11 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure a high standard of amenity for existing and future users.
- 8.12 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.13 Given the siting, dimensions and positioning of the free-standing advertisement it will not result in an over-dominant or overbearing building/development line on neighbouring residential properties and will not cause a loss of light by way of shadowing.
- 8.14 There is no noise produced from the use of the advertisement but as illumination is conditioned to not exceed 800 cd/m² (as advised by LCC Highways and set out above) it will therefore not cause minimal light intrusion for neighbouring residential properties.
- 8.15 It is considered that the proposal therefore accords with principles of amenity outlined in Policies DM10 and DM23 of the emerging SADMP.

Impact upon highway safety

- 8.16 Policy DM17 of the SADMP requires development to not have a significant impact upon highways safety.

- 8.17 Policy DM23 of the SADMP also requires advertisements to be of an acceptable level of luminosity so not as to lead to obtrusive light.
- 8.18 The nearest part of the proposed signage to the highway is approximately 7.2m away and would feature light illumination that subject to the aforementioned planning condition would not exceed 800 cd/m². The LHA have referred the LPA to current standing advice, subject to the above condition the proposal would accord with Standing Advice.
- 8.19 It is therefore considered that the proposed advertisements would not cause any material impacts upon pedestrian or vehicular safety in compliance with policies DM17 and DM23 of the SADMP.

Equality implications

- 8.20 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.
- 8.21 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.
- 8.22 There are no known equality implications arising directly from this development.

9. Conclusion

- 9.1 Overall the proposal is deemed acceptable and would preserve the character and appearance of the area. 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, Policy 3 of the Burbage Neighbourhood Plan and the wider policies of the NPPF.

10. 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
- Covering letter to application
- Site Location Plan - 25781/PA/01
- Proposed Site Plan - 25781/PA/03
- Existing and Proposed Elevations - 25781/PA/05
- Specification - 25781/PA/06
- CGI - 25781/PA/07
- All received by the Local Planning Authority on 21/07/25.

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 Documents.

4. The luminance of the advertisement(s), including any form of illumination, shall not exceed 800 candelas per square metre (cd/m²) at any time. This limit applies continuously, regardless of ambient lighting conditions, time of day, or season. The luminance level must be measured at the surface of the advertisement.

Reason: To protect the visual amenity of the area, residential amenity and highway users to accord with Policies DM1 and DM23 of the Site Allocations and Development Management Policies Development Plan Documents.

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.