

Agenda Item A12	Committee Date 16 October 2017	Application Number 17/00833/FUL
Application Site Stone Jetty Marine Road Central Morecambe Lancashire		Proposal Installation of a Time and Tide bell sculpture
Name of Applicant Miss Sian Johnson		Name of Agent -
Decision Target Date 22 September 2017		Reason For Delay Committee Cycle
Case Officer		Mrs Petra Williams
Departure		No
Summary of Recommendation		Approval

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, as the application site is in the ownership of Lancaster City Council the application must be determined by the Planning and Highways Regulatory Committee.

1.0 The Site and its Surroundings

- 1.2 The RNLi Hovercraft Station and associated slipway are located to the east of the site. The Midland Hotel is located to the south of the site and this building is Grade II* Listed. The Stone Jetty Café is situated to the north of the site and this building is Grade II Listed. The boundary of the Morecambe Conservation Area falls approximately 50 metres to the south and the site is within the area designated by the Morecambe Area Action Plan (MAAP).
- 1.3 The site is also within Flood Zone 3 and the following designations about the Stone Jetty - The Morecambe Bay Special Area of Conservation (SAC); The Morecambe Bay Special Protection Area (SPA); The Morecambe Bay RAMSAR Site and The Morecambe Bay Site of Special Scientific Interest (SSSI).

2.0 The Proposal

- 2.1 The application proposes a cultural art installation in the form of a Time and Tide bell measuring 1.55m x 0.88m which is to be fixed to the north-eastern side of the stone jetty. The bell will be fixed within a mounting bracket at a point approximately 50 metres along the jetty close to the point where the slipway terminates. The bell will sound when the tide rises and moves the internal clapper, creating a musical pattern.
- 2.2 The proposal is part of a nationwide project and is one of 10-12 bronze bells proposed to be sited near the high tide mark at locations around the British Isles. To date, 5 bells have been installed across the United Kingdom - North Devon, Outer Hebrides, River Thames and two at sites in Wales. A sixth bell has recently gained planning permission at a site in Lincolnshire. Most of these bells are located within ecologically sensitive sites, but have been accepted into the marine environment

due to their small scale nature and low impact. While it is intended that each bell will reflect the culture of its own locality through inscriptions on the wave catcher, written by each respective local community, the unifying factor for all bells is raising awareness of climate change.

3.0 Site History

3.1 The following previous Pre-application request was received by the local planning authority.

Application Number	Proposal	Decision
16/00262/PRETWO	Installation of a Time and Tide bell	Advised that principle of a cultural installation accords with the broad aims of the Morecambe Area Action Plan by creating a point of public interest through art and cultural heritage.

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Natural England	No objections - considers that the proposed development will not have significant adverse impacts on designated sites.
Conservation Team	No objections – the setting of the nearby heritage assets will not be impacted.
Environmental Health	No objections.
Morecambe Town Council	Initial concerns regarding noise have since been allayed, and they offer Support for the proposal providing that the local planning authority are satisfied that there will be no noise nuisance to nearby property.

5.0 Neighbour Representations

5.1 At the time of compiling this report one item of public comment has been received raising objections to the scheme. The concerns relate to the possible need for engineering specifications for the bell mounting given its location on a coastal jetty. The comments also question whether it is appropriate to compare noise levels with that of a river setting (Thames) which the submitted noise example relates to. The question of safety and vandalism is also raised due to the potential for access to the bell.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 - Sustainable Development and Core Principles
 Paragraphs 56, 58 and 60 – Requiring Good Design
 Paragraph 118 – Conserving and Enhancing Biodiversity
 Paragraphs 135 – Non-Designated Heritage Assets

6.2 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent

Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Development Management Development Plan Document (DM DPD) Policies

DM3 - Public Realm and Civic Space
DM12 - Leisure Facilities and Attractions
DM27 - The Protection and Enhancement of Biodiversity
DM31 - Development affecting Conservation Areas
DM32 - The Setting of Designated Heritage Assets
DM35 - Key design principles
DM38 - Development and Flood Risk

6.4 Morecambe Area Action Plan DPD

SP3 - Morecambe Main Seafront and Promenade

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of development;
- General design and visual impact;
- Impacts upon heritage assets;
- Ecological impacts; and
- Noise Impacts

7.2 Principle of Development

7.2.1 Policy SP3 of the Morecambe Area Action Plan (MAAP) relates to this area which is identified as open space for people's informal recreation and enjoyment. Action Set AS5 of the MAAP also relates to the site and highlights a number of approaches to implement positive changes to this area including investment in public art. Culture is also identified as a marketing tool for the Morecambe Bay brand. The MAAP also acknowledges that the above aims must be balanced with the Council's commitment to not permit any proposals that would result in a significant adverse impact on the Bay environment and its interest features as a European Wildlife Site. It is considered the principle of the proposal is acceptable and the installation would be an interesting one within the wider Central Morecambe site, providing that there are no detrimental impacts arising as a consequence of noise, ecology or historic fabric. These points will be discussed in the following paragraphs.

7.3 General design and visual impact

7.3.1 The proposed bell will comprise cast marine bronze which will not degrade but will develop a greenish patina as a result of the effects of sea water. The weight of the bell without mountings is 385 kg. A bracket, constructed from brass rods connected to a bronze cast ring, will suspend the bell at a height where the movement of water at high tide will operate a paddle (wave catcher) which

will connect to the clapper which will ring the bell. The supporting documents state that the bell will create a varying, gentle, musical pattern as the rising water at high tide moves the paddle. The supporting statement also makes reference to an associated interpretation board to be sited close to the bell which would be accessible for the visually impaired. It is also hoped by the applicant that the board could be interactive with video links and audio oral history content. However, this would be dependent on funding.

- 7.3.2 It is considered that due to the scale of the proposal the development would not be unduly visually prominent in the landscape. It is also considered that proposed materials are acceptable and that there would be minimal impact from the installation of the bell via 5 fixing brackets. Precise details of the associated interpretation board would be conditioned.

7.4 Impacts on heritage assets

- 7.4.1 The site is 50 metres to the north-west of the Morecambe Conservation Area boundary. The Stone Jetty café and The Midland Hotel are the nearest Listed Buildings to the application site. In view of the distance of the development from these buildings in addition to the presence of intervening structures (e.g. wave wall) along with the other existing sculptures and art works on the jetty, it is considered that there will be no undue impact on the setting and character of the nearby heritage assets. As such it is considered that the proposal accords with the provisions of Policies DM31 and DM32. The proposal is therefore considered appropriate in heritage terms.

7.5 Ecological impacts

- 7.5.1 The site itself benefits from being within or adjacent to a number of designations of European/International protection. It is therefore appropriate that a Biodiversity Report and Environmental Statement has been included with the submission. The applicants have also been in consultation with Natural England prior to submission of the scheme.
- 7.5.2 It is considered that the greatest potential for environmental impacts would be disturbance to water birds from the sound of the bell. However, the bell will only operate at high tides, which are the times when adjacent sand and mud flats used by birds for feeding are covered by water and so not available to them. The nearest significant high tide roosts of birds is on groynes over 100m from the proposed installation, and at this distance the sound will be attenuated to such an extent that it will scarcely be audible above background seaside noises.
- 7.5.3 The submission has been reviewed by Natural England who raised no objections to the scheme. Overall it is concluded that there will be no greater impact than other recreational uses that the beach is currently used for. It is considered that the development is of a scale which can be accommodated without harming the ecological characteristics of the area and therefore the scheme accords with the provisions of Policy DM27.

7.6 Noise impacts

- 7.6.1 The installation of a bell activated by wave movements clearly raises the issue of possible noise implications. The bell would be activated at high tides only which is likely to be twice a day for two thirds of the year (for one third of the year the tide would not be high enough to activate the bell). The nearest surrounding buildings are predominantly in business use and the Midland Hotel is approximately 140m away from the site. The nearest residential properties are approximately 450m away from the site. The submission has been accompanied by a Noise Assessment which makes reference to a similar bell which has been sited on the Thames (Trinity Buoy Wharf). This example was chosen as a comparison as the bell is suspended from the wharf – similar to the current proposal. Current background readings of both the Stone Jetty and the Trinity Buoy Wharf bell chiming have been taken as part of the Noise Assessment which states that the readings for each of these was the same at 70db. It is understood that this is the equivalent of people talking normally at a distance of 1 to 4 metres. This demonstrates that there would be no additional noise nuisance in terms of the loudness of the bell when it is installed. This information has been fully considered by the Environmental Health consultee who is of the view that the scheme would not result in adverse implications.

7.7 Other matters

- 7.7.1 Although not a material planning consideration, the concerns regarding health and safety and the possibility of vandalism raised in the public comments and by the Town Council are noted. The bell itself will be a hollow form with a simple internal clapper which pivots in the centre on a gimbal. If small objects are thrown in they will fall straight through, and if a larger object is placed in the top of the bell it will be possible to remove the object without concern of damaging the structure. The entire structure is designed to allow water to move through it with ease. The surface of the bell will be as cast with no additional treatments. As a result any surface applications can be washed off with a standard cleaner, or in severe cases the surface can be gently sanded. The colour of the bronze will be through natural air patination, so the surface colour will return to any cleaned areas. It is also considered that the bell will only be as vulnerable to vandalism as other objects of public art which already existing in close proximity to the site.
- 7.7.2 The proposal is required to be subject of a licence from the Marine Management Organisation which considers such matters as health and safety. This requirement runs parallel to planning legislation and the applicant has confirmed that such a licence has been granted in respect of the proposed development.

8.0 Planning Obligations

- 8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

- 9.1 It is considered that the principle of a cultural installation accords with the broad aims of the Morecambe Area Action Plan by creating a point of public interest through art and cultural heritage. The submission has satisfactorily addressed the issues of noise and environmental impacts and would not be detrimental to the setting of nearby heritage assets. It is therefore considered that the scheme accords with the relevant local plan policies and the overarching principles of the National Planning Policy Framework.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard three year timescale
2. Development in accordance with plans
3. Details of interpretation board including precise location

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

In accordance with the above legislation, Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been made having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None