

<b>DECISION DATE</b> 28 June 2005	<b>APPLICATION NO.</b> 05/00596/DPA A29	<b>PLANNING COMMITTEE:</b> 27 June 2005
<b>DEVELOPMENT PROPOSED</b>  AMENDMENT TO PREVIOUSLY APPROVED APPLICATION 04/01528/DPA FOR ERECTION OF MEMORIAL PUBLIC ART PIECE		<b>SITE ADDRESS</b>  GRASS VERGE OPPOSITE MARITIME MUSEUM, ST GEORGES QUAY, LANCASTER, LA1 1RD.
<b>APPLICANT:</b>  Lancaster City Council, Arts Development Officer, The Platform, Morecambe.		<b>AGENT:</b>

**REASON FOR DELAY**

None.

**PARISH NOTIFICATION**

None.

**LAND USE ALLOCATION/DEPARTURE**

The site is designated as a Tourism Opportunity Area within the Lancaster District Local Plan. It also falls within the Castle Conservation Area and lies immediately adjacent to an Informal Recreation Area.

**STATUTORY CONSULTATIONS**

**Engineering Services** - No objections in principle. The applicant is advised that the crossing point will need the approval of the next Officer's Road Safety Meeting.

**County Highways** - Views Awaited.

**Conservation Officer** - Views Awaited.

**Museum Services** - Views Awaited

**OTHER OBSERVATIONS RECEIVED**

No other observations have been received.

**REPORT**

The site that is the subject of this application is located directly opposite the Maritime Museum, on the grass verge at St George's Quay.

Members will recall that planning permission was granted in December 2004 (Reference 04/01528/DPA) for the erection of a piece of public artwork in this location. This application seeks to amend the approved scheme.

The sculpture is designed to remember Lancaster's role in the slave trade and measures 1820mm in diameter and approximately 4200mm in height. It will be constructed from a range of materials, including aluminium, stone, cast iron and stainless steel.

The proposed amendment involves the provision of a twin disabled access ramp, linking the quayside directly to the sculpture. To facilitate these works the existing tree immediately to the south-east would be replaced by a specimen of a similar age. The precise position of this tree would be agreed via a planning condition, should this application be approved.

No other alterations to the previously approved scheme are proposed.

The development would provide the opportunity for all groups to access the sculpture. An additional benefit would be that the ramp would also provide ramped access to the roadside. At present there are few opportunities for level access from the Quayside to the opposite side of the street.

It is on this basis that Members are advised that the application can be supported.

## **HUMAN RIGHTS ACT**

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal, which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

## **REASONS FOR APPROVAL**

The decision to grant planning permission has been taken having regard to policies in the Lancashire Structure Plan and the Lancaster District Local Plan together with all other relevant considerations.

## **RECOMMENDATIONS**

**THAT PLANNING PERMISSION BE GRANTED** subject to the following conditions: -

1. Standard five year consent.
2. Development as per approved plans.
3. Precise siting of sculpture to be agreed.
4. Samples of all materials to be agreed.
5. Precise siting of replacement tree to be agreed.