

Agenda Item A17	Committee Date 2 March 2015	Application Number 14/01176/ADV
Application Site City Centre Lancaster Lancashire	Proposal Advertisement application for 3 panel adverts on 27 bins at various sites to include Market Street, Market Square, Lancaster Gate, Penny Street, Cheapside, Church Street, Gage Street, Damside Street, Common Garden Street, Spring Garden Street and New Street	
Name of Applicant Ms Helen Ryan	Name of Agent	
Decision Target Date 11 March 2015	Reason For Delay None	
Case Officer	Mrs Petra Williams	
Departure	No	
Summary of Recommendation	Approval subject to conditions	

(i) Procedural Matters

It has been necessary to bring this application before Members as the application is made on behalf of Lancaster City Council.

1.0 The Site and its Surroundings

1.1 The application site largely relates to various points within the pedestrian zone in Lancaster city centre. The application also relates to some points which are peripheral to the pedestrianised area but nevertheless focuses around the retail core of the city where there are also a number of well-established cafes, restaurants and public houses.

1.2 The application site falls within Lancaster Conservation Area adjacent to designated 'Primary' and 'Other Key' retail frontages. There are a number of Listed and locally listed buildings within the vicinity of the bin locations.

2.0 The Proposal

2.1 The plans identify 27 sites for the display of advertisements on litter bins at a number of points within the city centre. The installation of litter bins, when undertaken by the Local Authority, does not in itself require planning permission. However, the current proposal involves sponsored advertisement litter bins whereby a private company would provide free-standing litter bins.

2.2 The bins will incorporate advert panels on three sides. The side panels will have dimensions of 0.48m by 1m and the front panels will be of 0.58m by 1.1m. It is these advertising panels which are incorporated within the bin design which require Advertisement Consent.

2.3 The signage will be displayed on litter bins to be sited at the following points within the city centre:

- Penny Street (5)
- Spring Garden Street (1)

- George Street (1)
- Common Garden Street (1)
- Gage Street (2)
- Market Street (3)
- Lancaster Gate (1)
- New Street (2)
- Market Square (2)
- Cheapside (3)
- Church Street (3)
- Damside Street (3)

3.0 Site History

3.1 There are no similar applications relating to the siting of advertisements within the city centre. However, Members may recall a similar wider-scale approach was adopted regarding street café seating in 2012. Members will also be aware of the recent investment and works undertaken in the city centre through the Square Routes Project.

Application Number	Proposal	Decision
12/00239/CU	Use of designated pedestrian highway as street cafe seating and balustrades (no fixed structures), to include Market Street, Market Square, Penny Street, Cheapside, Church Street, Dalton Square, Gage street, Damside Street, Common Garden Street and New Street	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Team	Adverts not considered to be appropriate within Dalton Square. Suggested that the advert panels could be reduced in size.
County Highways	No objections

5.0 Neighbour Representations

5.1 No public comments received

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)
 Paragraph 17 – Core Principles
 Paragraphs 56, 58, 61, 64 – Good Design
 Section 12 (paragraphs 128, 131 – 134) – Conserving and enhancing the historic environment

6.2 Development Management DPD (DM DPD)
 DM6 - Advertisements
 DM31 – Development affecting Conservation Areas
 DM35 – Key Design Principles

6.3 Other material considerations

Supplementary Planning Guidance Note 7 – Advertisement and Shopfront Guide

7.0 Comment and Analysis

- Background to the Proposal
- Visual Amenity
- Highway Safety

7.1 Background to the Proposal

Although the litter bins in themselves do not require planning consent it is useful to consider them in context for this application as they are linked to the work recently undertaken through the Lancaster Square Routes Project. This has involved a range of physical improvements and operational changes to make public spaces in the centre more attractive and add vibrancy to the area, in order to support economic, environmental and social ambitions. One aspect of the physical improvements is to de-clutter the streetscene, which includes the reduction in the numbers of refuse bins. It is considered that this will assist in enhancing the heritage qualities of the city centre and free up space for pedestrian movement.

7.2 This application relates to an initiative by the Council to introduce a new refuse bin system within the city centre and replace the 46 existing bins with 27. This reduction would make a significant contribution to reducing street clutter and mitigating the overall visual impact of bins; which are generally aged and quite unsightly. Whilst there would be fewer bins, the replacement bins would have a much larger capacity because of a built-in compaction mechanism. The bins also benefit from a built-in intelligent monitoring system which enables the Council to tailor bin emptying to when needed.

7.3 Advertising on the bins is sought to make the new bin system viable for the City Council. The bin supplier will manage the advertising and be responsible for changes in advertising and the upkeep. The business model encourages high quality advertising and maintenance. However whilst all this is useful contextual information, the advertisement application must be determined upon two matters; the visual amenity impacts of the advertisement(s) and their impacts upon highway safety.

7.4 Visual Amenity

With regard to visual amenity, regard must be given to whether the proposal is compliant with the criteria set out in Policies DM6, DM31, DM35 and SPG 7, and in particular whether the proposal is acceptable in terms of the impact on the surrounding Conversation Area. As part of the Square Routes project, new benches were installed throughout the centre with adjacent spaces allocated for some of the replacement bins which will carry the proposed advertising.

7.5 The advertisements will be contained within specially designed perspex panels which will accommodate interchangeable advertising on the front and sides of the black litter bins, and the content of adverts will be vetted and agreed by the City Council. Although the colour and text of the adverts will vary, the overall height of the signs will be below eye level within the commercial centre and as such would not be adverse in the context of the street scene. Furthermore it is also acknowledged that the display of the signs are fully reversible and like all advertisements the consent expires following five years from the date of installation, in which case a further application would be required to be submitted, allowing due consideration to be given to the impacts which may or may not arise.

7.6 It is noted that pre-application advice was provided by the Conservation Officer who expressed a preference for the size and number of the panels to be reduced and that no advertisements should be located within more sensitive areas such as Dalton Square. Revised plans have subsequently removed the signage from Dalton Square. The possibility of a reduction in the size and number of the panels was explored, however the bins which contain the advert panels are a standard format rather than bespoke and therefore this was not a feasible option. Taking these matters into consideration, on balance for the reasons outlined in paragraph 7.5 it is considered that the proposal is acceptable in terms of visual amenity.

7.7 Highway Safety

When assessing advertisement applications, local planning authorities have to always consider the

public safety implications arising from signage. In this instance the largely pedestrianised nature of the city centre and limited traffic movements that ensue means that there is no perceived danger to road users. County Highways confirm this to be the case in their consultation response.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The proposal is linked to recent works of improvement in the city centre which have been implemented through the Square Routes project. Based on the above considerations and taking into account the wider aims for the city centre, it is recommended that Advertisement Consent can be supported, subject to the following conditions:

Recommendation

That Advertisement Consent **BE GRANTED** subject to the following conditions:

1. Standard Advertisement Timescale – 5 years
2. Amended plans
2. Advertisements to accord with the approved plans
3. Standard Advertisement condition - owners consent to display
4. Standard Advertisement condition - signs not to endanger highway, railway etc
5. Standard Advertisement condition - maintenance of advertisements
6. Standard Advertisement condition - advertisements should not endanger the public
7. Standard Advertisement condition - where signs to be removed, site is left in a good condition

Article 31, Town and Country Planning (Development Management Procedure) (England) Order 2010

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

The local planning authority has proactively worked with the applicant/agent in negotiating amendments which have now positively influenced the proposal and have secured a development that now accords with the Development Plan and the National Planning Policy Framework.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude 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.

Background Papers

None