

Agenda Item A12	Committee Date 10 December 2018	Application Number 18/01346/FUL
Application Site Land West Of Barrows Lane Heysham Lancashire	Proposal Installation of a sculpture	
Name of Applicant Mrs Jan Shorrocks	Name of Agent Mr C Garner	
Decision Target Date 24 December 2018	Reason For Delay None	
Case Officer	Mr Andrew Clement	
Departure	None	
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

- 1.1 The application site that forms the subject of this application is the southern section of Heysham Cliffs and Headland by Half Moon Bay. At its northern end it contains St. Patrick's Chapel, which is a grade I Listed building and a scheduled monument. Along with the eight rock cut tombs and other nearby Listed buildings and scheduled monuments, the site forms a significant heritage asset and visitor attraction in Heysham.
- 1.2 The application does not propose any developments directly to the Listed buildings or ancient monuments, but seeks to install a permanent sculpture within the southern section of the wider open space. The application site is within the Barrows Lane field and Heysham Cliffs and Headland designated open spaces, the latter of which is a Biological Heritage Site. The site is coastal land to Morecambe Bay, which is a Ramsar site, Special Protected Area, Special Area of Conservation and Site of Special Scientific Interest, with Half Moon Bay cliffs also forming a regionally important geological site.

2.0 The Proposal

- 2.1 The application seeks consent for the installation of a sculpture, measuring 3.6 metres in height and 8.4 metres in length, constructed of steel and bronze with a central stone feature. The proposed sculpture has no clear specific historic reference, but overtly references the Viking longboats of former Bay dwellers. The central stone will provide a resting place where people can contemplate the sea.

3.0 Site History

- 3.1 The following advertisement and listed building consents were permitted for panel and wall signs within the wider public open space:

Application Number	Proposal	Decision
15/01149/ADV	Advertisement application for the display of 2 non-illuminated free standing panel signs and 1 non-illuminated wall sign	Permitted
15/01437/LB	Listed building application for the fitting of 1 non-illuminated wall sign	Permitted

4.0 Consultation Responses

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

Consultee	Response
Parish Council	No observation received within the statutory consultation period
Conservation Section	Neutral impact upon heritage assets
Public Realm Officer	No observation received within the statutory consultation period
Public Rights Of Way	No observation received within the statutory consultation period
County Highways	No objection subject to a construction method statement
Natural England	No observation received within the statutory consultation period
Sport England	No objection , as application does not fall within their remit
Environmental Health	No observation received within the statutory consultation period

5.0 Neighbour Representations

- 5.1 No observations received to date. Any consultation responses received will be reported verbally to the Planning Committee meeting.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF) 2018

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). The following sections of the NPPF are relevant to the determination of this proposal:

Paragraphs 8 and 11 – Sustainable Development
Section 8 – Promoting healthy and safe communities
Section 12 – Achieving well-designed places
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

- 6.2 Listed Building and Conservations Area Act 1990
Section 7 - Restriction on Works Affecting Listed Buildings
Section 17 - Power to Impose Conditions on Grant of Listed Building Consent

6.3 Development Management DPD

DM3 – Public Realm and Civic Space
DM4 – The Creation and Protection of Cultural Assets
DM12 – Leisure Facilities and Attractions
DM21 – Walking & Cycling

DM25 – Green Spaces & Green Corridors
DM27 – The Protection and Enhancement of Biodiversity
DM28 – Development & Landscape Impact
DM30 – Development Affecting Listed Buildings
DM32 – The Setting of Designated Heritage Assets
DM35 – Key Design Principles

6.4 Lancaster District Core Strategy Saved Policies (adopted July 2008)

SC5 – Achieving Quality in design

6.5 Lancaster District Local Plan Saved Policies (adopted April 2004)

E5 – Coastlines

6.6 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations 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. The DPDs were submitted to the Planning Inspectorate on 15 May 2018 for independent Examination, which is scheduled to commence in spring 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council later in 2019.

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 2017, 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.

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of the Development;
- Scale, Design and Landscape upon the Coastline, Public Open Space and Right Of Way;
- Impacts upon Heritage Assets;
- Ecological Impacts; and
- Impact upon the Highway

7.2 Principle of the Development

7.2.1 Culture, leisure and the arts play an important role in the district, both for the benefits they provide to the local economy (particularly the visitor economy) and the community wellbeing of the people who live and work within the District. The application site forms part of the District’s designated open space network as a natural and semi natural green space, used for informal recreation and particularly dog walkers. The addition of a sculpture to this open space, which references the maritime history of the area, would add another point of interest to the Heysham Headlands and Half Moon Bay. During this summer, a pilot temporary installation was commissioned as part of the

Headlands to Headspace programme by Morecambe Bay Partnership, which was located slightly further north along the coastline on the Heysham Cliffs and Headland site. It is estimated that circa 16,000 people engaged with the temporary installation at Heysham.

- 7.2.2 The proposed permanent installation would form an extension to the existing precedent for public artwork along the Morecambe coastline, with the Venus and Cupid Sculpture, the Tern Project, the Eric Morecambe statue as well as the consented but not yet installed Time and Tide Bell, all further north along the Bay coastline. The principle of the proposal is considered to be acceptable and the installation would be an interesting one within the wider coastal Heysham and Bay site. The proposal would improve the appeal of this cultural heritage and tourist area, supported by policies DM3, DM4, DM12 and NPPF Section 8.

7.3 Scale, Design and Landscape upon the Coastline, Public Open Space and Right Of Way

- 7.3.1 The proposed development is reasonably large in size and will be publically visible from elevated distant views from Smithy Lane and Barrows Lane, as well as in close proximity within the public open space. The two end structures or 'prows' will be made of Corten Steel, and the accompanying patina bronze figures will match this. Corten Steel is designed to rust which then preserves the metal from further deterioration. The sculpture also features a central stone element designed for people to rest and sit on.

- 7.3.2 The proposed sculpture would form a prominent feature with the open field and coastal landscape setting, which is a unique landscape very sensitive to change. However, it is considered that due to its design and materials, referencing the maritime heritage of the area, it would have a positive landscape impact upon this setting, particularly as this site is within the same visual context as the existing Heysham Harbour Port and Heysham Nuclear Power Station. The proposed sculpture would add a point of interest to the public open space, to be experience in close proximity within this space and public right of way whilst not impacting upon the existing functionality and use of this space. Furthermore in the context of the existing open field it would not dominate the space. A Structural Engineers Assessment has been undertaken at the site, and the proposed location of the development is sufficiently separated from the approximately 2 metre tall beach banking for the pressure of the foundations to not adversely interact with the slope. The proposal is considered to have a positive landscape impact, supported by policies DM21, DM25, DM28, DM35 and NPPF Section 12.

7.4 Impacts upon Heritage Assets

- 7.4.1 The sculpture is located outside of the Heysham Conservation Area, with St Patrick's church and associated heritage assets sited over 680 metres to the north of the application site. Although these heritage assets may be experience in a single visit to the Headlands as part of the same wider public open space, due to the separation distance and intervening landscape they are not within the same visual context. The installation of the sculpture is considered to have a neutral impact upon the aforementioned heritage assets, as concluded by the Conservation consultee. The proposal is considered to be compatible with policies DM30, DM32, NPPF Section 16 and the provisions of the Listed Buildings and Conservation Area Act.

7.5 Ecological Impacts

- 7.5.1 The site itself is within or adjacent to a number of designations of European/International protection. A Biological Statement from an ornithological consultant has been submitted with this application. This statement concludes that as a single installation, the proposed sculpture would not exacerbate any impact upon the ecological designations relating to birds beyond the existing impact of the use of the public open space. The proposed development is to be sited atop of an approximately 2 metre tall embankment, above the tidal high water mark and outside of flood zones 2 and 3.

- 7.5.2 It is considered that there will be no greater impact upon ecology beyond the existing other recreational uses that the beach and public open space is currently used for. The proposed installation of the sculpture is considered to be of a scale that can be accommodated without harming the ecological characteristics of the area, and therefore the scheme accords with the provisions of Policy DM27 and NPPF Section 15.

7.6 Impact upon the Highway

- 7.6.1 The proposed development will have a nominal impact upon vehicular movements, located on a public walking route, within walking distance of bus stops and with a public car park in close proximity. County Highways recommended a planning condition regarding a Construction Method Statement, which has been submitted as part of this application prior to determination. The details and arrangements within this statement are proportionate to the relatively modest development and short duration of works. Subject to the installation being carried out in accordance with this Construction Method Statement, the proposal is considered to have no severe impact upon the public highway.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 In conclusion, it is considered that the principle of a cultural installation accords with the broad aims of the Development Management DPD by creating a point of public interest through art and cultural heritage. The installation of a sculpture as proposed in this location is considered to improve the visual landscape and functional uses of the area and open space, whilst causing no undue harm to heritage assets, ecology nor the public highway. 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. Implemented in accordance with the Construction Method Plan

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

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