

<b>Agenda Item</b> A17	<b>Committee Date</b> 7 January 2019	<b>Application Number</b> 18/01485/ADV
<b>Application Site</b>  Canal Quarter Edward Street Lancaster Lancashire	<b>Proposal</b>  Advertisement application for the display of 4 standalone signs within the Canal Quarter development site	
<b>Name of Applicant</b>  Lancaster City Council	<b>Name of Agent</b>	
<b>Decision Target Date</b>  16 January 2019	<b>Reason For Delay</b>  None	
<b>Case Officer</b>	Mr Andrew Clement	
<b>Departure</b>	None	
<b>Summary of Recommendation</b>	Approval	

**(i) Procedural Matters**

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

**1.0 The Site and its Surroundings**

- 1.1 This application relates to four sites on the eastern side of Lancaster city centre, which are predominantly car parks with Lancaster City Council's ownership. The sites are within or adjacent to the Canal Quarter, which under the 2008 Local Plan is allocated for housing, and forms part of the published Strategic Policies and Land Allocations DPD as a development opportunity site. The site has been identified as a sequentially preferable location to provide for comprehensive regeneration of a central location and significantly improve and re-shape the retail and cultural offer for the wider city centre. The sites are within the Lancaster Conservation Area character areas for Canal Corridor North and South, though the car parking areas and sites subject to this application are identified as low grade environments from a heritage perspective. The signage is within the setting of a number of non-designated heritage assets and Listed buildings, namely King's Community Church, Bulk Street record, the Polish Church, Dance Studio and the Musicians' Co-op, and within wider views of Grade II Listed Buildings St Leonard's House and Crown Inn.

**2.0 The Proposal**

- 2.1 This application seeks advertisement consent for the display of four standalone signs within and around the Canal Quarter site. The three signs located in City Council car parks are to measure 1.2 metres tall by 2.4 metres wide, attached to existing walls or proposed posts supporting signage up to 0.5 metres above the ground level. The fourth sign is to be located at the junction of St Leonard's Gate and Alfred Street at the northern tip of the Canal Quarter site, and this sign is to measure 2.4 metres tall by 3.6 metres wide at 0.6 metres above the ground level supported by posts. The signage is sought for a duration of 3 years until December 2021.

### **3.0 Site History**

- 3.1 There is an extensive planning history across the large area of the four sites proposed, the most relevant of which relating to the wider Canal Quarter area is below:

Application Number	Proposal	Decision
08/00866/OUT	Comprehensive redevelopment comprising a retail led mixed used scheme to include demolition of existing buildings and associated structures, the demolition of all residential dwellings, the closure and alteration of highways, engineering works and construction of new buildings and structures to provide, retail, restaurants, cafes, offices, workshop, rehearsal space and residential accommodation, together with ancillary and associated development including new pedestrian link bridge and entranced pedestrian routes and open spaces, car parking and vehicular access and servicing facilities	Refused following public inquiry

### **4.0 Consultation Responses**

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

Consultee	Response
<b>Conservation Section</b>	<b>No objection</b> , less than substantial harm to the conservation area, however the public benefits of achieving the regeneration of the Canal Quarter site outweigh this harm, although smaller signs and matt finish would be preferable
<b>Tree Protection Officer</b>	<b>No objection</b> , subject to the implementation of the submitted Arboricultural Method Statement
<b>County Highways</b>	<b>No objection</b>

### **5.0 Neighbour Representations**

- 5.1 No observations received.

### **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 12 – Achieving well-designed places  
Section 15 – Conserving and enhancing the natural environment  
Section 16 – Conserving and enhancing the historic environment

- 6.2 Development Management DPD

DM6 – Advertisements  
DM22 – Vehicle Parking Provision  
DM29 – Protection of Trees, Hedgerows & Woodland  
DM31 – Development Affecting Conservation Areas  
DM32 – The Setting of Designated Heritage Assets  
DM33 – Development affecting Non-Designated Heritage Assets or their Settings  
DM35 – Key Design Principles

### 6.3 Lancaster District Core Strategy Saved Policies (adopted July 2008)

SC5 – Achieving Quality in Design  
SPG7 – Advertisements and shop fronts design guide)

### 6.4 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.

### 6.5 Other Material Considerations

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

Paragraph 72 - General duty as respects Conservation Areas in exercise of planning functions.

Paragraph 73 - Publicity for applications affecting Conservation Areas

Lancaster Conservation Area Appraisal – Canal Corridor North and South character areas

## **7.0 Comment and Analysis**

### 7.1 The key considerations arising from the advertisement proposal are:

- Amenity and impact upon the Conservation Area and setting of heritage assets; and
- Public and highway safety.

### 7.2 Amenity and Impact upon the Conservation Area and Setting of Heritage Assets

#### 7.2.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30, DM31 and DM32. DM31 sets out that new buildings within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,

- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

- 7.2.2 The sites for the proposed signage are predominantly within car parking areas under Lancaster City Council's ownership, which contain modest scale highway and parking signage as existing, but at a much reduced scale than the proposed signage. Whilst the existing parking signage is to provide detail and information of the parking arrangements to be read up close, the advertisements that form this application are to promote the regeneration of the Canal Quarter area to re-shape the retail and cultural offer for the wider city centre. The signage is well related to the wider area it is advertising, within or immediately around the Canal Quarter site, and is of sufficient scale and design to signify the forthcoming report and subsequent plans setting out the Council's current position and proposals to look at a new way forward for the Canal Quarter site.
- 7.2.3 The site is within the setting of heritage asset buildings and part of the wider Lancaster Conservation Area, although the signage locations are predominantly in low grade environments within the Conservation Area. The consultation response from the Conservation section suggests that signage is reduced in scale and in a matt finish, but ultimately concludes that the regeneration benefits of the proposal outweigh the less than substantial harm to the aforementioned heritage assets, which would be temporary for a period of 3 years duration for the proposed signage. The signage is within the vicinity of trees in the Conservation Area, which are protected due to the scale of the trees and their location within this heritage asset. The trees will be retained in accordance with the Arboricultural Method Statement.
- 7.2.4 Given the presence of informative parking signage in the vicinity of most of the proposed adverts and the benefits of promoting the regeneration of the area, the benefits of the proposal are considered to outweigh the less than substantial harm to heritage assets for a temporary period of 3 years. The proposal will have an acceptable temporary impact upon the amenity of the area, due to the relatively subdued design, proportionate to publicise the regeneration of the area with no illumination of signage.
- 7.4 Public and Highway safety
- 7.4.1 The proposal has raised no objection from County Highways, with no impact upon the highway. The signage locations are either along existing boundary treatments of car parks or part of a grassed area at a road junction, and none of these will not impede pedestrian movements, thus have no adverse impact upon public safety.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

- 9.1 The temporary and less than substantial impact upon the amenity of the area and heritage assets is considered to be outweighed by benefits of the proposal. The signage is considered to be proportionate and well sited to publicise the planned regeneration of the area. In particular considering the benefits that any subsequent regeneration would bring to the area and heritage assets, the proposal has an acceptable impact upon amenity and public safety, subject to the works being carried out in a method to retain existing nearby trees.

## **Recommendation**

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

1. Standard advertisement timescale (3 years)
2. Advertisements to be carried out in accordance to approved plans
3. No advertisement is to be displayed without the permission of the owner of the site
4. No advertisement shall be sited or displayed so as to obscure or hinder various transportation signs or signals
5. 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
6. 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
7. Where an advertisement is required under the Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity
  8. Works accord with Arboricultural Method Statement

**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