

Agenda Item A9	Committee Date 29 April 2019	Application Number 19/00349/ADV
Application Site Land East Of Golden Lion Moor Lane Lancaster Lancashire LA1 1QD		Proposal Advertisement application for the display of a hoarding sign on existing fence comprising of 27 panels
Name of Applicant Mr Paul Rogers		Name of Agent
Decision Target Date 22 May 2019		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 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 The site is within the Canal Quarter, which under the 2004 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 signage is within the setting of a number of non-designated heritage assets and Listed buildings, namely Yates And Jackson Brewery, St Catherine's Court and Dukes Playhouse, all Grade II Listed Buildings, and the non-designated heritage assets street records for Moor Lane, Edward Street and Bulk Street. The site is within the Canal Corridor North character area of the Lancaster Conservation Area. The site is identified as a low-grade environment in the Conservation Area Appraisal, situated between positive frontages and Listed Buildings in the immediate visual context.

2.0 The Proposal

- 2.1 This application seeks advertisement consent for the display of an advert across 27 panels and two elevations of boundary treatment fencing. Each panel measures 2.4 metres tall by 1.2 metres wide, creating a maximum advertisement width of 29.3 metres along Moor Lane to the south, and 3.7 metres wide along Brewery Lane. The hoarding advertisement is proposed to be non-illuminated, and would promote the regeneration of the Canal Quarter area to re-shape the retail and cultural offer for the wider city centre.

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 site and the wider Canal Quarter area is below:

Application Number	Proposal	Decision
18/01485/ADV	Advertisement application for the display of 4 standalone signs within the Canal Quarter development site	Permitted
17/00536/UNAUTD	Installation of razor wire on top of fencing at old Mitchells Brewery site	Permitted Development, no consent required for temporary works
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
07/00602/OUT	Outline application for the redevelopment of the site to provide a building for retail at ground floor level with offices above and associated car parking	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Section	No observation received to date, consultation period expires on 18 April 2019; comments will be verbally reported
County Highways	No objection
Canal and River Trust	No objection

5.0 Neighbour Representations

- 5.1 No observation received to date, consultation period expires on 18 April 2019; comments will be verbally reported

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

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

On 15 May 2018, and in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), Lancaster City Council submitted the following documents to the Secretary of State (Planning Inspectorate) for examination:

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

The Examination Hearing Sessions commenced on 9 April 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.

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.

Given the current stage of both DPDs, it is considered that significant weight can be attributed to the policies contained therein where no significant objection to them has been raised.

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 character area

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 application site previously contained buildings that have since been demolished, leaving a rather neglected area of hardstanding informally used for parking before this use was prevented. It has since been fenced off with a fence erected to the perimeter of the site. Outline consent was granted to redevelop the site over a decade ago, but this development did not progress. The site is highly visible along Moor Lane, and now has a negative impact upon its surroundings through an imposing white boundary treatment around this area and the wider Mitchells Ltd Brewery site. As existing, the fencing contains modest security signage, in the visual context of highway signage and the advertisements to the adjacent public house. This existing signage is at a much reduced scale than that proposed. Whilst the existing security and highways signage is designed to provide detail and information to be read up close, the advertisements that form the subject of 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 proposed signage would be well positioned as relates to the regeneration of the wider area in which it would be sited. It is of a scale and design to signify the subsequent plans of this strategic site.
- 7.2.3 The site is within the setting of designated heritage assets, including Listed buildings and Lancaster Conservation Area, although its immediate environment is low grade, as acknowledged within the Conservation Area appraisal. This site detracts from these heritage assets in its current guise. Exacerbating this low grade environment is the existing imposing security boundary treatment. This is in a prominent location along Moor Gate, and it is considered that the proposed signage has the potentially to create a less imposing treatment and visual aesthetic in comparison to existing. The scale of signage is significant, and for a longer duration than the two years proposed may be considered excessive, particularly within a Conservation Area and in the setting of Listed Buildings and non-designated heritage assets. However, considering the existing condition of the site and the existing detailing of the boundary treatment, both of which currently detract from the aforementioned heritage assets, the existing harm caused by this neglected site is considered to be similar to that of the short term impact of the proposed signage. No observation has been received from the Conservation consultee to date, and this will be reported verbally at Planning Committee.
- 7.2.4 The proposal is to advertise a large scale regeneration area, and the advertisement is considered to be proportionate to this significant project, despite its substantial scale. Ultimately, it is considered that the regeneration benefits of the wider scheme outweigh the less than substantial harm to the aforementioned heritage assets through this temporary signage, which would be in situ for a period of 2 years.

7.3 Public and Highway safety

- 7.3.1 The proposal has raised no objection from County Highways as they consider there to be no impact on the highway. The signage location is along an existing boundary treatment, and 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 Conclusion

- 9.1 The temporary and less than substantial harm upon the amenity of the area and heritage assets is considered to be outweighed by benefits of the wider scheme. The signage is considered to be proportionate and well sited to publicise the planned regeneration of the strategic Canal Corridor site. In particular, considering the benefits that any subsequent regeneration would bring to the area and heritage assets, combined with the appearance and condition of the existing site, the proposal has an acceptable impact upon amenity and public safety.

Recommendation

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

1. Advertisement timescale (2 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

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