

Application Recommended for Approve with Conditions

ADV/2019/0535

Daneshouse With Stoneyholme

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

Temporary display of fabric banner secured to scaffold
Old Red Lion Hotel 2-4 Manchester Road Burnley Lancashire

Background:

The proposal is for the display of a large fabric banner that stretches across the full width of the property which is a Grade II listed building at a prominent corner within the pedestrianised area of Burnley Town Centre, within the Burnley Town Centre Conservation Area.

The proposed sign is not fixed to the building but wraps around scaffolding that has been constructed across the frontage of the building. The banner is non-illuminated and measures approximately 30m long by 8m in height with the lowest part of the advert at a height of approximately 2.3m above footpath level.

Proposed advert in situ



The proposed advertisement is already being displayed.

The application would normally be determined under the scheme of delegation but a request for call-in to the DC Committee has been made by Councillor Towneley.

Relevant Policies:

Burnley's Local Plan (July 2018)

TC8 – Shopfront and advertisement design

HE2 – Designated heritage assets

Supplementary Planning Document
Shopfront & Advertisement Design (June 2019)

The National Planning Policy Framework

Site History:

The property has been vacant for a number of years and was last used as a public house.

Consultation Responses:

Publicity

An objection has been received from a nearby business, making the following points:-

1. The advertisement is for the owners of the building and not there to provide a safety barrier.
2. The structure on which it is mounted is not erected on the property owned by the applicant but on LCC land.
3. There is no application from the site owner for the use of this advertisement attached to the planning application [applications for planning permission and listed building consent) have now been submitted.
4. No notice as required in your letter advertising the application has been displayed on site [a site notice has been displayed].
5. The advertisement conflicts with Burnley Local Plan Policy HE2 as the Town Centre Conservation Area is seriously affected as to amenity caused by the advertisement.
6. The application as published does not state a period for a 'temporary advertisement' [the application form seeks a temporary consent up to the 1st May 2020].

Planning and Environmental Considerations:

The relevant considerations relate to amenity and public safety.

Amenity

Policy TC8 states that the design of new or alterations to existing shopfronts and advertisements should satisfy a number of criteria, requiring, amongst other things, for the design to be appropriate to the character of the existing building and streetscene in terms of its size, detailing and use of materials. The size, design, positioning and materials of advertisements should not have an unacceptable adverse impact on the amenity of the areas in which they are displayed. Key architectural features should not be obscured, quality materials are expected and adverts should not normally be permitted above the fascia level and should not be overbearing. The Council's Supplementary Planning Document relating to advertisement design provides detailed guidance on appropriate, high quality and proportionate signage.

A key consideration in terms of the visual impact of the proposed advertisement is its impact on the Grade II listed building and Town Centre Conservation Area.

The proposed sign being of a fabric material and attached to a temporary scaffolding is unsuitable on a permanent basis. This is due to its size and coverage of the listed building's façade. However, the scaffold on which the advertisement is displayed is

itself a temporary construction and the proposed advertisement currently obscures the scaffold rather than the listed building. The visual impact of the advertisement is substantially reduced in this respect. The applicant seeks consent to display the advertisement on a temporary basis up to the 1st May 2020. Notably, a planning application (COU/2019/0593) and application for listed building consent (LBC/2019/0594) has been submitted by the same applicant for a change of use of the ground floor of the premises to an estate agents (Class A2) with offices (Class B1) above. The building requires substantial maintenance and the scaffold is necessary to carry this out. On a short term temporary measure only, the proposed sign projects a tidy and clean appearance that obscures the unsightly appearance of scaffold works. Subject therefore to a temporary consent only, the proposed sign has an acceptable impact on the visual amenities of the town centre, on the character of the Town Centre Conservation Area and on this Grade II listed building.

Public safety

Policy TC8 requires advertisements to be displayed only where there is no effect on public safety. Public safety issues normally arise from distraction to drivers, particularly where advertisements are illuminated. In this case, the site is within a pedestrianised area of the town centre and is non-illuminated. The proposed advertisement would not in this case have any significant impact on highway and public safety.

Summary

The proposed advertisement, permitted for a temporary period up to the 1st May 2020, would have an acceptable impact on amenity and safety.

Recommendation: Approve

Conditions

1. The development hereby permitted shall be carried out in accordance with the approved plans listed on this notice below.
2. This consent is for a temporary period up to the 1st May 2020 only; the advertisement shall be wholly removed from the site on or prior to this date.
3. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
4. No advertisement shall be sited or displayed so as to
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
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 these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reasons:

1. To ensure the development is implemented in accordance with the approved plans and to avoid ambiguity.
2. The advertisement would be unsuitable on a permanent basis and is only acceptable as a short term measure to screen scaffolding, having regard to the visual prominence and impact of the advertisement and its impact on the Burnley Town Centre Conservation Area, in accordance with Policies TC2 and HE2 of Burnley's Local Plan (July 2018).
- 3.to 7. Required to be imposed by the Town and Country Planning (Control of Advertisement) Regulations 2007. Imposed by Regulation 14 (7) (a).

Janet Filbin
20th December 2019