

**Application Recommended for Approve with Conditions**

**ADV/2021/0679**

Daneshouse With Stoneyholme

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

**Proposal:** Proposed temporary hoarding on the ground floor shop front.

**At:** 150 - 152 St James Street Burnley Lancashire BB11 1NR

The application has been brought to the Development Control Committee as the application is the Councils own development.

**Background:**

The application site relates to a mid-terrace property located in Burnley Town Centre. The application relates specifically to the ground floor shop front of the property. The site is currently vacant but was previously Windmill Models.



**Proposed Development:**

Advertisement consent is sought for the erection of a temporary non illuminated hoarding to cover the existing chip hoarding which is currently over the ground floor windows of the premises for one year.

The hoarding will provide information about the Heritage Action Zone and will include logos of all the funders of the project, including Burnley Council and Historic England and specific HSHAZ branding.

The hoarding will measure 3m in height by 7.2m in width and will be made from aluminium composite panels with digitally printed and laminated vinyl graphics.



Proposed hoarding

**Relevant Policies:**  
Burnley Local Plan

- Policy SP5: Development Quality and Sustainability
- Policy TC8: Shopfront & Advertisement Design
- Policy HE2: Designated Heritage Assets: Listed Buildings; Conservation Areas; and Registered Parks and Gardens

**Site History:**

None relevant.

**Consultation Responses:**

Highways - The Highways Depot (Burnley District)	No Comment Received.
Lower St James Street Development Group	No Comment Received.

## **Planning and Environmental Considerations:**

The key issues in relation to this application are:

Principle of Development  
Impact on the character of the Conservation Area.

### **Principle of development:**

The site is located within the development boundary of Burnley of the adopted Local Plan, as such Policy SP4 states that development will be focused on Burnley and Padiham with development of an appropriate scale. As the site is located within Burnley Town Centre the development is acceptable in principle.

### **Impact of character of the Conservation Area.**

This application is in Burnley Town Centres designated Conservation Area and therefore an assessment needs to be made of the proposed temporary hoardings impact on the CA.

Policy HE2 of the Local Plan states that proposals affecting designated heritage assets and/or their settings will be assessed having regard to the desirability of sustaining and enhancing the significance of the asset and, where appropriate, securing a viable use most consistent with its conservation. All levels of harm should be avoided.

The proposed hoarding would enclose the existing temporary hoarding that current covers the shop front windows of the site. The hoarding will advertise the Heritage Action Zone Project that the council are undertaking partnering with Historic England to refurbish buildings on Lower st James's Street. The hoarding is proposed to be erected for a temporary period of one year as the site will also be refurbished in the future. The use of hoarding would not conserve the character of the Conservation Area however due to the temporary nature of the hoarding the development is considered to have less than substantial harm to the Conservation Area.

Paragraph 201 of the NPPF states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

In accordance with the Local Plan development that is considered to have less than substantial harm on the heritage asset must achieve substantial public benefits that outweigh the harm or loss, or all of following apply:

- a) The nature of the heritage asset is preventing all reasonable uses of the site;

- b) No viable use of the heritage asset that can be found in the medium term through appropriate marketing that will enable its conservation;
- c) Conservation by grant funding or charitable or public ownership of the asset is demonstrably not possible; and
- d) The harm or loss is outweighed by the benefits of bringing the site back into use.

The hoarding will be used as an advertisement for the Heritage Action Zone project. Historic England have released information on Heritage Action Zones and High Streets Heritage Action Zone. Specifically, Burnley High Street Heritage Action Zone will involve key buildings on Lower St James' Street being restored, whilst the town's growing local arts scene will be strengthened by creating more opportunities for artists and the local community to celebrate Burnley's identity.

The signage will advertise the work being undertaken in the area and then eventually the site will be restored as part of the scheme. Therefore, considering the application is for temporary consent it is considered that the public benefits of the proposal will outweigh the harm to the Conservation Area

### **Recommendation:**

That temporary advertisement consent be granted.

### **Conditions**

1. The signs hereby approved shall be removed from the site by 09/02/2022.

Reason: In the interests of visual amenity

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan: Dwg no 1 RLB

Proposed Hoarding: Dwg no 2 RLB

Reason: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.

Reason: In the interests of visual amenity

4. 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

Reason: Required to be imposed by the Town and Country Planning (Control of

Advertisement) Regulations 2007.

5. 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.

Reason: Imposed by Regulation 14 (7) (a).

Rebecca Bowers  
21st January 2022