

Officer's Report

Planning Application No: 145890

PROPOSAL: Advertisement consent to display 2no. monolith signs.

LOCATION: Gainsborough Town Centre Gainsborough Lincs

WARD: Gainsborough South West

WARD MEMBER(S): Cllr J A Rainsforth & Cllr C A Young

APPLICANT NAME: West Lindsey District Council

TARGET DECISION DATE: 17/01/2023

DEVELOPMENT TYPE: Advertisement

CASE OFFICER: Richard Green

RECOMMENDED DECISION: Grant consent, with conditions attached.

This application has been referred to the Planning Committee, as the applicant is West Lindsey District Council.

Description:

The application comprises two locations close to the Town Centre of Gainsborough, the first location is Riverside Car Park next to the River Trent and the Riverside Walkway and the second location is on the junction of Station Hill and Station Approach by the south eastern corner of Marshall's Yard.

This application is for Advertisement Consent for new wayfinding signage in Gainsborough. Consent has recently been granted (145141) for 7no. freestanding map monoliths and 9no. fingerpost signs elsewhere in the town. Following a review of the scheme an additional two locations are proposed for signage as described above.

This application proposes two new freestanding aluminium map monoliths (one at each of the above locations), which are approximately 2.2 metres in height, 0.65 metres in width and 0.14 metres in depth. White text on blue and black background is proposed.

The proposed advertisements (under the previously approved consent 145141 and this proposal 145890) will replace existing signage (including interpretation boards and signposts) in 14 locations in and around Gainsborough Town Centre which is of an ad-hoc nature in terms of design and is in a poor condition.

Relevant history:

145141 - Application for advertisement consent for 7no. freestanding map monoliths and 9no. fingerpost signs. Granted 08/09/2022.

Representations:

Chairman/Ward member(s): No representations received to date.

Town Council: No representations received to date.

LCC Highways and Lead Local Flood Authority: No objection subject to: L19 [Station Approach] may need to be moved to the back edge of the footway however the exact location is to be agreed with Area Highways Officer who can be contacted on 01522 782070

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following links:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Licences and Permits - <https://www.lincolnshire.gov.uk/licences-permits>

Conservation Officer: No comments to make.

LCC Historic Environment: No representations received to date.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (Adopted April 2017), the Gainsborough Neighbourhood Plan (Adopted June 2021) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan:

The following policies are particularly relevant:

*Central Lincolnshire Local plan

LP1: A Presumption in Favour of Sustainable Development

LP17: Landscape, Townscape

LP25: The Historic Environment

LP26: Design and Amenity

LP27 Main Town Centre Uses – Frontages and Advertisements

LP42: Gainsborough Town Centre and Primary Shopping Area

**With consideration to paragraph 219 of the National Planning Policy Framework (July 2021) the above policies are consistent with the NPPF (July 2021). LP1 is consistent with NPPF paragraph 11 as they both apply a presumption in favour of sustainable development. LP17 is consistent with NPPF paragraph 130 & 174 as they seek to protect valued landscapes and recognise the intrinsic character and beauty of the countryside and are sympathetic to the built environment. LP25 is consistent with chapter 16 of the NPPF as they both seek to conserve and enhance the historic environment. LP26 is consistent with section 12 of the NPPF in requiring well designed places. LP27 is consistent with paragraph 136 of the NPPF which recognises that the quality and character of places can suffer when advertisements are poorly sited and designed and LP42 is consistent with section 7 of the NPPF as they both seek to ensure the vitality of town centres. The above policies are therefore attributed full weight.*

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Gainsborough Neighbourhood Plan:

NPP 1 Sustainable Development

NPP 6 Ensuring High Quality Design

NPP 7 Ensuring High Quality Design in each Character Area

NPP 18 Protecting and Enhancing Heritage Assets

NPP 19 Improving the Vitality of the Town Centre

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey/gainsborough-town-neighbourhood-plan-made>

Lincolnshire Minerals and Waste Plan

The Core Strategy & Development Management policies (CSDMP) were adopted in June 2016 and form part of the Development Plan. The application site is within a Mineral Safeguarding Area (MSA). Policy M11 applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

Emerging Policy (a material consideration)

Submitted Central Lincolnshire Local Plan:

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 8th July 2022, the Local Plan Review was submitted to the Planning Inspectorate in order for it to commence its examination.

The NPPF states:

"48. Local planning authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) The degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given) 24."

The Submitted Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF (above), the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given).

Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent.

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- **National Planning Practice Guidance**
<https://www.gov.uk/government/collections/planning-practice-guidance>
- **National Design Guide (2019)**
<https://www.gov.uk/government/publications/national-design-guide>
- **National Design Code (2021)**
<https://www.gov.uk/government/publications/national-model-design-code>

Other:

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

<https://www.legislation.gov.uk/uksi/2007/783/contents/made>

Section 66 of the Planning (Listed Building & Conservation Areas) act 1990.
Section 72 of the Planning (Listed Building & Conservation Areas) act 1990.

<https://www.legislation.gov.uk/ukpga/1990/9/section/66>

<https://www.legislation.gov.uk/ukpga/1990/9/section/72>

Gainsborough Britannia Works Conservation Area Appraisal

<https://www.west-lindsey.gov.uk/planning-building-control/planning/conservation-environment/conservation-areas>

Main issues

Under reg.3(1) of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended), A local planning authority shall exercise its powers under these Regulations in the interests of amenity and public safety, taking into account—

- (a) the provisions of the development plan, so far as they are material; and
- (b) any other relevant factors.

This may include factors such as:

- Design and Heritage (Amenity)
- Public Safety
- Residential Amenity

The NPPF states (paragraph 136) that: *“The quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”*

Assessment:

Design and Heritage (Amenity)

The application comprises two locations close to the Town Centre of Gainsborough, the first location is Riverside Car Park next to the River Trent and the Riverside Walkway and the second location is on the junction of Station Hill and Station Approach by the south eastern corner of Marshall’s Yard.

This application proposes two new freestanding aluminium map monoliths (one at each of the above locations), which are approximately 2.2 metres in height, 0.65 metres in width and 0.14 metres in depth. White text on blue and black background is proposed.

The Riverside Car Park location (L18) is not within a Conservation Area and the nearest listed building (No.2A Ropery Road – Grade II) is located approximately 75 metres to the east across a car park and a road.

The Station Approach location (L19) is located within the Gainsborough Britannia Works Conservation Area and is located immediately to the south east of the Grade II Listed Britannia Works.

Section 66 of the Planning (Listed Building & Conservation Areas) act 1990 places a legislative requirement that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Setting is more than views, it is how the building is experienced. In addition to this, Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Policy LP27 states “All proposals for the display of advertisements will have to comply with relevant national regulations and guidance. Where advertisement consent is required, such consent will be permitted if the proposal respects the interests of public safety and amenity, subject to the following criteria:

- h. The design (including any associated lighting and illumination), materials, size and location of the advertisement respects the scale and character of the building on which it is situated and the surrounding area, especially in the case of a listed building or within a conservation area; and*
- i. The proposal would not result in a cluttered street scene, excessive signage, or a proliferation of signs advertising a single site or enterprise; and*
- j. The proposal would not cause a hazard to pedestrians or road users; and*
- k. The proposal would not impede on any surveillance equipment and would contribute positively to public perceptions of security”.*

The proposed advertisements (under the previously approved consent 145141 and this proposal 145890) will replace existing signage (including interpretation boards and signposts) in 14 locations in and around Gainsborough Town Centre which is of an ad-hoc nature in terms of design and is in a poor condition. The proposed advertisements by virtue of their design, siting, materials will not cause an unacceptable harm to the setting of several listed buildings and will not harm the character and appearance of the Britannia Works Conservation Area.

Public Safety

LP27 of the Central Lincolnshire Local Plan and Chapter 12 of the National Planning Policy Framework require Local Planning Authorities to consider the impact on public safety when determining applications for advertisement consent. LP27 states that: The proposals must not cause a hazard to pedestrians or road users; and not impede on any surveillance equipment and contribute positively to public perceptions of security.

The proposed advertisements are securely fixed into the ground and are of a scale to be clearly seen by pedestrians. The applicant is in negotiation with Lincolnshire County Council Highways in regards to agreeing an exact location for the L19 Monolith at Station Approach as this may need to be moved to the back edge of the footway. As a result the above proposal will not obstruct pedestrian routes or cause a distraction to drivers. Therefore the proposal will not harm public safety.

Residential Amenity

Policy LP26 relates to design and amenity and guides that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

The signs are considered to be located as not to have an adverse impact on the living conditions of the nearby neighbouring properties or are of a size to not result in undue harm to them.

Other matters:

Minerals and Waste

The site locations are located in a Sand and Gravel Safeguarding Area and a Site Specific Mineral Safeguarding Area but the nature of the proposal (signage) and the fact that the locations are within or close to the town centre which is already densely developed means that the proposal will not affect/lead to the further sterilisation of the minerals resource.

Public Rights of Way

The map monoliths are located close to the Riverside Walk and a Public Right of Way (Gain/20/1). It is considered that the proposed signage will not be detrimental to existing users and potential future users of the nearby Public Right of Way.

Highways

Notes to the applicant will be added to the decision notice if it is minded to grant consent. The applicant is in negotiation with Lincolnshire County Council Highways in regards to agreeing an exact location for the L19 Monolith at Station Approach as this may need to be moved to the back edge of the footway.

Conclusion

The decision has been considered against policies LP1: A Presumption in Favour of Sustainable Development, LP17: Landscape, Townscape, LP25: The Historic Environment, LP26: Design and Amenity, LP27 Main Town Centre Uses – Frontages and Advertisements and LP42: Gainsborough Town Centre and Primary Shopping Area of the Central Lincolnshire Local Plan and policies NPP 1 Sustainable Development, NPP 6 Ensuring High Quality Design, NPP 7 Ensuring High Quality Design in each Character Area, NPP 18 Protecting and Enhancing Heritage Assets and NPP 19 Improving the Vitality of the Town Centre of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Building & Conservation Areas) act 1990 in the first instance and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and guidance contained within the National Planning Policy Framework, the National Planning Practice Guidance and the Gainsborough Britannia Works Conservation Area Appraisal.

In light of this assessment it is considered that the proposed advertisements by virtue of their design, siting, materials will not cause an unacceptable harm to the setting of several listed buildings and will not harm the character and appearance of the Gainsborough Britannia Works Conservation Area. The signage will also replace existing signage (including interpretation boards and signposts) in 14 locations which is of an ad-hoc nature in terms of design and is in poor condition.

Furthermore, it is considered that the proposed signage will not affect residential amenity or have a detrimental impact on public safety and would not be detrimental to existing users and potential future users of the nearby Public Right of Way.

Recommendation: Grant planning permission subject to the conditions below

1. The grant of express consent expires five years from the date of the grant of consent.

Reason: To comply with the requirements of the Town and Country Planning (Control of Advertisements) Regulations 2007.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

7. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: Proposed Sign Details received 22/11/2022 and Map of Proposed Sign Locations received 22/11/2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

Notes to the applicant

Highways

L19 [Station Approach] may need to be moved to the back edge of the footway however the exact location is to be agreed with Area Highways Officer who can be contacted on 01522 782070

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections

and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following links:

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Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report