



## Planning Services

# COMMITTEE REPORT

**AGENDA ITEM NUMBER: 3D**

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### **APPLICATION DETAILS**

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**APPLICATION No:** 6/2010/0072/DM/AD

**FULL APPLICATION DESCRIPTION:** Application for advertisement consent for the erection of 6 No banners on existing lamp posts  
The Bowes Museum, Newgate, Barnard Castle

**NAME OF APPLICANT:** Mr Matt Leng

**ADDRESS:** The Bowes Museum  
Newgate  
Barnard Castle  
Co Durham  
DL12 8NP

**ELECTORAL DIVISION:** Barnard Castle East

**CASE OFFICER:** **Charlie Colling**  
**Planning Officer**  
**01833 696206**  
**charlie.colling@durham.gov.uk**

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### **1. DESCRIPTION OF THE SITE AND PROPOSALS**

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1. Six lamp-posts situated along Newgate, three either side of the entrance to the Bowes Museum.
- 1.2 Advertisement consent is sought for the erection of 6no. advertisement banners to be attached to the existing lamp-posts.
- 1.3 The application has been brought before the Committee as the Town Council has raised an objection to the proposal.

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### **2. PLANNING HISTORY**

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There is no relevant planning history for this site.

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### 3. PLANNING POLICY

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#### NATIONAL POLICY:

- **Planning Policy Statement 1:** Delivering Sustainable Development sets out the Government's overarching planning policies on the delivery of sustainable development through the planning system.
- **Planning Policy Statement 5:** Planning for the Historic Environment sets out the Government's planning policies on the conservation of the historic environment.
- **Planning Policy Guidance 19:** explains that the main purpose of the advertisement control system is to help those involved in outdoor advertising to contribute positively to the appearance of an attractive environment in cities, towns and the countryside.

#### REGIONAL POLICY:

The North East of England Plan - Regional Spatial Strategy to 2021 (RSS) July 2008, sets out the broad spatial development strategy for the North East region for the period 2004 to 2021. The RSS sets out the region's housing provision and the priorities in economic development, retail growth, transport investment, the environment, minerals and waste treatment and disposal. Some policies have an end date of 2021 but the overall vision, strategy, and general policies will guide development over a longer timescale.

Policy 1 – North East Renaissance

Policy 8 – Protecting and Enhancing the Environment

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#### LOCAL PLAN POLICY:

- GD1 General Development Criteria - sets out the general design principles for development
- BENV3 Development affecting the character of a Listed Building or its setting – seeks to ensure development does not adversely affect the character of setting of the listed building.
- BENV4 Development within and/or adjoining a conservation area – this policy provides criteria for new development to adhere to, so that it preserves and enhances the Conservation Areas.
- BENV9 Advertisements and signs within Conservation Areas – seeks to control inappropriate advertisements within the conservation area ensuring they are designed and sited without detriment to the character and appearance of the area.

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*The above represents a summary of those policies considered most relevant in the Development Plan the full text, criteria, and justifications of each may be accessed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=6619>*

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### 4. CONSULTATION AND PUBLICITY RESPONSES

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#### STATUTORY RESPONSES:

Town Council – Recommend that the application be refused because the obtrusiveness of what is still considered to be a 'permanent' installation is unacceptable, with such an application only to be contemplated on a very temporary basis, such as a specific event, and not for a period of years.

Highways – Subject to the use of tapered brackets I have no objections to the proposals.

#### **INTERNAL CONSULTEE RESPONSES:**

Design and Conservation Officer - I do not consider that the banners will affect the setting of the listed building. They are outside the defined boundary and are by default highly visible in order to provide a sense of arrival at the site.

They provide an off site solution to the need for advertising. Many alternatives have been considered which either impacted directly on listed structures or detracted from the setting of the listed museum or lodges.

Banners such as these are now a recognised means of advertising at some of the most prestigious cultural sites in the country. These proposals are well detailed and in my opinion will not detract from the character or appearance of the area, in fact they will add a sense of vitality.

I have no objection to the approval of this application for the normal 5 year period.

#### **PUBLIC RESPONSES:**

Neighbouring properties have been consulted, a site notice posted and an advert placed in local press with no objections received.

#### Applicant's Statement

The Bowes Museum believes the installation of a number of lamppost banners promoting the facilities and exhibitions of the museum will, by providing a sense of excitement, help to persuade more passing traffic to stop and find out about the museum. The banners will give a clear signal that the museum is open, is proud to be visible, and therefore well worth visiting.

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*The above represents a summary of the comments received on this application. The full written text is available for inspection on the application file which can be viewed at <http://www.durham.gov.uk/Pages/Service.aspx?ServiceId=6619>*

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## **5. PLANNING CONSIDERATIONS AND ASSESSMENT**

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5.1 The applicant seeks advertisement consent for a period of 5 years for the erection of 6no. banners measuring 2.5m x 0.75m to six of the lampposts outside of the Bowes Museum in Barnard Castle. The proposed banners would be mounted onto the lampposts starting at a height of 3.4m, and a spring loaded mounting would be used following tests to the lights columns. The main issues to consider in determining this application are visual amenity and public/highway safety.

### **Design**

5.2 The proposed banners would be sited, to either side of the entrance, equally spaced utilising the existing lampposts. The brackets would be black to match the existing columns, and each lamppost would display a single banner 2.5m x 0.75m. The design and conservation officer has raised no objection to this type of banner. This type of banner is commonly used as a means of advertising on some of the most prestigious sites in the country.

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## Highways

- 5.3 The proposed banners would be sited 3.5m above the footway. The highways officer has been consulted on the application and has not raised any objections to the proposals. As part of the highways assessment, tests were required to be carried out on the lighting columns to ensure that the additional load/wind pressure would not affect the stability of the columns. The results showed that a spring loaded system must be used for these lighting columns. The applicant has advised that this is the system which they intend to use for this scheme.
- 5.4 The highways officer has also commented that there are two types of bracket fixings which could be used, these are round arms and tapered arm. The round arms spill the wind-load by approximately 25% and the tapered arms by approximately 66%. It has been advised that the tapered arms should be used, which can be controlled by way of condition.

## Impact on Listed Building and Conservation Area

- 5.5 The banners, being sited within the conservation area and outside the entrance to the listed building, must be assessed in terms of any potential impact which they may have on either of these designations. It is considered that this type of advertisement, which is commonly used across the country around similar sites, would be a sensible option for advertising this asset. The banners are not considered to be obtrusive or to detract from the special qualities of the listed building and conservation area. The conservation officer has advised that they are likely to add a sense of vitality to this part of the town.

## Response to Town Council Objection

- 5.6 The Town Council has objected to the proposals on the grounds that the proposed banners would be obtrusive and are still considered as a permanent feature as the consent applied for would be for 5 years. As discussed in the report, the proposed banners are not considered to be obtrusive; this is a commonly used design solution to avoid the necessity for additional structures to be erected or adverts displayed inappropriately on important buildings. The period of consent applied for would be 5 years, which is the maximum period for advertisement consent. It is not considered that this is an unreasonable length of time to display these adverts.

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## 6. CONCLUSION

- 6.1 The proposed application essentially seeks advertisement consent for the installation of 6no. banners to lampposts on the approach to Bowes Museum. The design of the banners is considered to be acceptable, and the banners offer a commonly used solution to providing advertisements to important sites, without adversely affecting the building itself. The proposals would not be overly prominent, but are likely to add a sense of vitality to this part of the street. No objection has been raised by the highways officer or the design and conservation officer. The objections have been given due consideration, however it is not considered that the issues raised would justify refusal of this application, for the reasons outlined above in accordance with policies GD1, BENV3, BENV4 and BENV9.

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## **7. RECOMMENDATION**

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**That the application be APPROVED subject to the following conditions:**

1. This consent to display the advertisement(s) is for a period of five years from the date of this permission.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control) and Policies GD1 and BENV9.

2. Any advertisements displayed and any site used for the display of advertisements shall be maintained in a in a condition which does not impair the visual amenity of the site.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control) and Policies GD1 and BENV9.

3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in condition that does not endanger the public.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control) and Policies GD1 and BENV9.

4. Where any advertisement is required under these Regulations to be removed, its removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control) and Policies GD1 and BENV9.

5. No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.

To comply with the requirements of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Circular 03/07 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, PPG 19 (Outdoor Advertisement Control) and Policies GD1 and BENV9.

6. The bracket arms to be used for fixing the banners shall be of a tapered arm type.

In order to ensure the wind-load on the columns is not excessive in accordance with Policies GD1 and BENV9.

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## **8. REASONS FOR THE RECOMMENDATION**

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8.1 The development was considered acceptable having regard to the following development plan policies and PPS/PPG's: -

GD1	General Development Criteria
BENV3	Development affecting the character of a Listed Building or its setting
BENV4	Development within and/or adjoining a conservation area
BENV9	Advertisements and signs within Conservation Areas

PPS1 – Delivering Sustainable Development  
PPS5 – Planning and the Historic Environment  
PPG19 – Outdoor Advertisement Control

8.2 In particular the development was considered acceptable having regard to consideration of principle of development, design, highways, impact on the listed building and conservation area, public safety and amenity.

8.3 The objections which have been received have been given due consideration, however the issues raised do not provide sufficient justification for refusal of the application. On balance the scheme is considered to be acceptable. The proposals are considered to accord with both local and national planning policies, and would constitute an acceptable form of development subject to conditions.

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## **BACKGROUND PAPERS**

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- Submitted Application Forms and Plans.
- Design and Access Statement
- Teesdale District Local Plan 2002
- Planning Policy Statements / Guidance, PPS1, PPS5 and PPG19
- Responses from County Highways and design and conservation officer

