

COMMITTEE REPORT

Date: 21 October 2010 **Ward:** Guildhall
Team: Major and Commercial **Parish:** Guildhall Planning Panel
Team

Reference: 10/01535/ADV
Application at: Clifford's Tower, Tower Street York YO1 9SA
For: Display of English Heritage logo flag
By: Mr Iain Roberts
Application Type: Advert Application
Target Date: 13 September 2010
Recommendation: Approve

1.0 PROPOSAL

1.1 Clifford's Tower, York Castle comprises a stone built scheduled ancient monument dating to the early 13th Century, in state guardianship and managed by English Heritage. It lies in an extremely prominent location within the Historic Core Conservation Area and the wider city skyline. The monument forms a major visitor attraction in its own right and lies in close proximity to the Castle Museum and the City Centre retail area. Express Advertisement Consent is sought for erection of a 2.6 metre x 2.6 metre flag displaying the English Heritage corporate symbol on a 9 metre glass fibre flagpole mounted to the roof of the building. The English Heritage symbol would be some 1.65m by 1.65m in area. The erection of the flagpole would be subject to Scheduled Ancient Monument Consent procedures via the Department for Culture, Media and Sport.

1.2 The matter is being considered by Committee following concerns expressed by Councillor Brian Watson in relation to the display of a corporate symbol in a prominent location.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Areas of Archaeological Interest GMS Constraints: City Centre Area 0006

Conservation Area GMS Constraints: Central Historic Core CONF

DC Area Teams GMS Constraints: Central Area 0002

Listed Buildings GMS Constraints: Grade 1; Clifford's Tower, Tower Street York YO1 1SA 0985

Scheduled Ancient Monuments GMS Constraints: SMR No.13275; York Castle(including Clifford's Tower)

2.2 Policies:

CYGP21 Advertisements

CYHE2 Development in historic locations

CYHE8 Advertisements in historic locations

3.0 CONSULTATIONS

INTERNAL:-

3.1 Design, Conservation and Sustainable Development raise no objection to the proposal.

EXTERNAL:-

3.2 Guildhall Planning Panel raise no objection to the proposal.

4.0 APPRAISAL

KEY CONSIDERATIONS:-

4.1 KEY CONSIDERATIONS INCLUDE:-

- * Impact upon the visual amenity of the street scene and of the wider Conservation Area;
- * Impact upon public safety.

IMPACT UPON THE VISUAL AMENITY OF THE STREET SCENE AND OF THE WIDER CONSERVATION AREA:-

4.2 Policy HE8 of the York Development Control Local Plan sets a firm policy requirement that within Conservation Areas or on Listed Buildings advertisements should consist of a design and scale that respects the character and appearance of the area and good quality materials that are sympathetic to the surface to which they are attached. Similarly Policy GP21 of the Draft Plan sets a firm policy requirement that advertisements by virtue of their size, design, materials and colouring should not detract from the visual amenity of the area where they are displayed, would not have an adverse impact upon public safety and would be in keeping with the surrounding buildings and public areas. The application site has a very high degree of visual prominence being one of the highest structures in the City Centre and forming a significant element within the visual character of the Historic Core Conservation Area. Other nearby buildings of comparable significance such as the Castle Museum also display flag poles and on occasion flag advertisements within their roofscape. The Tower was constructed as a defensive and governmental building in the Medieval period from which flags and pennons would have been regularly flown for a variety of purposes. The proposed flag and flag pole would appear small in scale relative to the sheer mass of the surviving tower and any impact upon the visual

amenity of the surrounding area would be minimal. The works to erect the flag pole will require Scheduled Monument Consent from the Secretary of State for Culture, Media and the Arts.

IMPACT UPON THE SAFETY OF NEARBY ROAD USERS:

4.3 Central Government Planning Guidance in respect of Outdoor Advertisement Control outlined in PPG 19"Outdoor Advertisement Control" identifies two material considerations felt to be of specific relevance in considering advertisement proposals. These are impacts upon amenity and upon wider public safety. Amenity impacts have already been considered. In terms of impacts upon public safety, the application site forms a major element of the wider City Centre sky line. Directly to the south lies a major surface level car park serving the City Centre and occasionally used for major public events. Directly to the west lies Tower Street a major arterial route for traffic using the City Centre. The scale of the Tower and its associated mound is such that the flag when raised would not pose a significant concern for highway and wider public safety. The terms of Policies GP21 and HE8 of the York Development Control Local Plan together with Central Government planning guidance in respect of advertisements outlined in PPG 19"Outdoor Advertisement Control" would thus be complied with in relation to the proposal.

5.0 CONCLUSION

5.1 Clifford's Tower comprises a stone built Medieval structure forming a major element of the City Centre skyline. The site is a Scheduled Ancient Monument and presently operated as a major visitor attraction by English Heritage. The current proposal is for the erection of a flag pole advertisement displaying the English Heritage corporate logo. In view of the nature of the building, its scale and the purpose of its construction, it is felt that the proposal is entirely appropriate and that impacts upon wider public safety and amenity would be acceptable. Approval of the proposal is therefore recommended.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 The development hereby permitted shall be carried out in accordance with the following plans:-

Photomontage Ref: Fig 1 Date Stamped 15th July 2010.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to impact upon the visual amenity of the street scene and of the wider Conservation Area and impact upon the safety of nearby highway users. As such the proposal complies with Policies GP21 and HE8 of the City of York Development Control Local Plan.

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