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## Appeal Decisions

Site visit made on 18 February 2025

by **D M Young JP BSc (Hons) MA MRTPI MIHE**

an Inspector appointed by the Secretary of State

Decision date: 4<sup>th</sup> March 2025

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### **Appeal A Ref: APP/A2335/H/24/3350856**

#### **The Shore, Shore Road, Silverdale, LA5 0TP**

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended) against a refusal to grant express consent.
  - The appeal is made by Parking Eye Ltd against the decision of Lancaster City Council.
  - The application Ref is 24/00114/ADV
  - The advertisement proposed is 1 x sign on camera column, 1 wall mounted sign, 2 x pole mounted signs on new poles and 2 x signs on existing poles.
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### **Appeal B Ref: APP/A2335/W/24/3351712**

#### **The Shore, Shore Road, Silverdale, LA5 0TP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Yaseen Laher against the decision of Lancaster City Council.
  - The application Ref is 24/00113/FUL.
  - The development proposed is retrospective application for a pole mounted light/camera and associated cabinet.
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## **Decision**

1. Appeals A and B are dismissed.

## **Preliminary Matters**

2. There are two appeals which pertain to the same development. One is against the refusal of retrospective planning permission for a pole mounted light/camera and associated cabined sited at the car park entrance. The second, is an appeal against the refusal to grant consent for a series of parking notices within and around the car park. As the applications were refused for identical reasons relating to their detrimental impact upon a designated National Landscape<sup>1</sup>, I have dealt with both appeals in a single decision letter.

## **Main Issue**

3. This is the effect of the developments on the character and appearance of the area.

## **Reasons**

4. The appeal site comprises a gravel car park, accessed from the end of Shore Road in Silverdale. It is located immediately adjacent to the coast and within the intertidal zone. The car park and wider area are within the nationally designated

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<sup>1</sup> Formerly referred to as Areas of Outstanding Natural Beauty

Arnside & Silverdale National Landscape. Accordingly, there can be little dispute that the appeal site occupies a highly sensitive location in landscape terms where there is now a legal duty on decision makers ‘*to seek to further*’ the statutory purposes of the National Landscape designation<sup>2</sup>. The purpose of the National Landscape designation is ‘*conserving and enhancing the natural beauty of the area of outstanding natural beauty*’

5. The consultation response from the Arnside and Silverdale National Landscape Partnership highlights the site’s location adjacent to a coastline which is a key feature of the area’s natural beauty. In light of the site’s sensitive location, significant concerns are raised by the Partnership regarding the pole and camera as well as the modifications to the car park’s surfacing.
6. While I acknowledge the site has been used for car parking for a number of years, this appears to have been an informal arrangement and something quite different to the more formal and commercial operation now proposed. I concur with the Partnership that the proliferation of parking notices on poles up to 2.3m high together with the retention of a prominent 5m high pole and clunky camera box would introduce an unduly urban element to this relatively unspoilt section of coastline.
7. The pole/camera and advertisements would therefore manifestly conflict with the legal duty under Sections 85 and 245 of the 2000 and 2023 Acts, Policy AS14 of the Arnside and Silverdale AONB DPD and Policies DM21 and DM29 of the Lancaster Local Plan 2020<sup>3</sup>. Collectively these seek advertisements and development that are well designed and appropriately sited in order to contribute positively to a safe and attractive environment and local distinctiveness.
8. In coming to that view, I have noted that there are already a number of public safety notices in the immediate area. However, these provide essential safety information in the public benefit and are limited in number and prominence. Accordingly, they afford no precedent for the commercial parking notices proposed in Appeal A.

## Conclusion

9. For the reasons given above the appeals should be dismissed.

*D M Young*

INSPECTOR

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<sup>2</sup> Section 85 of the Countryside and Rights of Way) Act 2000 (the 2000 Act) and Section 245 (Protected Landscapes) of the Levelling-up and Regeneration Act 2023 (the 2023 Act)

<sup>3</sup> Full Title: Local Plan for Lancaster District 2011-2031 Part Two: Review of the Development Management DPD Adoption Version July 2020