

Agenda Item A17	Committee Date 28 September 2009	Application Number 09/00689/LB
Application Site 9C Castle Hill Lancaster Lancashire LA1 1YS	Proposal Change of use of lower ground floor from office to residential one bedroomed flat (Class C3)	
Name of Applicant Mrs Lynda Burke	Name of Agent Harrison Pitt Architects	
Decision Target Date 9 September 2009	Reason For Delay Committee Cycle	
Case Officer	Petra Williams	
Departure	No	
Summary of Recommendation	Refusal	

1.0 The Site and its Surroundings

- 1.1 The site that forms the subject of this change of use application is the lower ground floor level of a three storey Georgian Grade II Listed Building. The property lies within a terrace of mainly listed two and three storey buildings located in a narrow street which rises up towards the Castle precinct.
- 1.2 The site is currently in office use while the remaining upper floors are in residential use. Access to the property is via a small flight steps leading to a double partially glazed door and raised level window which provides the main outlook for the premises. There is one small window at the side which also high level and directly overlooks the neighbouring private amenity space. The small window to the rear is again at a high level and looks out directly over a rear access lane.
- 1.3 The site is within the Castle Conservation Area and the surrounding properties are in a mixture of residential and office use.

2.0 The Proposal

- 2.1 Members will be aware that this application has been submitted alongside 09/00688/CU. The application proposes a change of use from office (A2) to a residential one bedroomed flat. (C3) in order to provide a base in the city for the applicant who intends to move to Australia. The only proposed external alteration is the replacement of the existing door with a fully glazed alternative.
- 2.2 Internally a partially glazed partition will be erected to create a bathroom area. The main living area will be a combined kitchen/diner/lounge and an existing doorway will lead through to a small bedroom at the rear of the basement. An existing stone staircase will be retained as a feature for storage and will therefore not affect the Listed Building.

3.0 Site History

Application Number	Proposal	Decision
97/00779/CU	Change of use and conversion of shop to bed-sit accommodation	Refused and subsequent Appeal Dismissed
97/00785/LB	Listed Building Application for alterations to facilitate conversion to bed-sit accommodation	Refused and subsequent Appeal Dismissed
99/01065/CU	Change of use and conversion of existing shop into office accommodation	Application Permitted
99/01066/LB	Listed building application for conversion of shop into office accommodation	Application Permitted

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
Conservation	Objection - The proposed fully glazed door is considered inappropriate in this location.

5.0 Neighbour Representations

5.1 Neighbour consultation was undertaken on the planning application for the proposal, which is also considered as part of this agenda.

6.0 Principal Development Plan Policies

6.1 Lancaster District Local Plan Saved Policy **E33** is relevant and relates to proposals for internal and external alterations to Listed Buildings. The policy states that proposals involving external or internal alteration to a Listed Building which would have an adverse effect on the special architectural or historic character or interest of the buildings or their surroundings will not be permitted

7.0 Comment and Analysis

7.1 With regard to Policy E33 the application would be acceptable in terms of internal works as unlike the previous submission the staircase will be retained as a feature. However the proposed fully glazed front door is considered inappropriate for this Listed Building and would have a detrimental effect upon this sensitive locality.

8.0 Conclusions

8.1 The proposed glazed door is unacceptable and therefore the proposal would be harmful to the character and appearance of the Listed Building.

Recommendation

Listed Building Consent **BE REFUSED** for the following reasons:

1. The proposed fully glazed door to the front of the basement would be detrimental to the character and appearance of the listed building which is located on one of the main thoroughfares in the Castle Conservation Area. The proposal is therefore contrary to the provisions of Lancaster District Local Plan Saved Policy E33.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

1. None