

Agenda Item A11	Committee Date 3 April 2017	Application Number 17/00094/CU
Application Site Marshrange Castle Park Lancaster Lancashire	Proposal Change of use of ancillary annexe building to use as holiday accommodation	
Name of Applicant Mr Gary Rycroft	Name of Agent N/A	
Decision Target Date 5 April 2017	Reason For Delay N/A	
Case Officer	Mr Robert Clarke	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

The proposed development would normally fall within the scheme of delegation. However, the application has been requested to be reported to the Planning Committee by the Chief Officer of the Regeneration and Planning Service.

1.0 The Site and its Surroundings

- 1.1 Marshrange is a large detached Victorian property located on Castle Park in Lancaster. It is set within a generous domestic curtilage of approximately 0.8 acres. The site currently comprises the original dwellinghouse and a detached outbuilding which has recently been granted approval to be used as ancillary accommodation. Both of these buildings feature stone walls underneath slate roofs, and timber windows are installed throughout. The application site is enclosed on all boundaries by substantial random rubble walls that extend down both West Road and Long Marsh Lane, reaching a maximum height of approximately 3.5m. The topography of the site descends in a westerly direction towards the West Coast Mainline which lies to the rear of the property.
- 1.2 The application site is located on Castle Park and is accessed by a driveway located between a row of four pay and display car parking spaces on Castle Park. There are also a number of pedestrian access gates within the boundary wall, whilst a new pedestrian access point on to Long Marsh Lane has recently been approved through application 16/01483/FUL. The property lies at the junction of West Road and Long Marsh Lane. To the northeast of the site lies Lancaster Castle whilst to the south lies Castle Park Mews. Lancaster train station lies to the southwest of the application site.
- 1.3 The property is located within the Lancaster Conservation Area, whilst the dwelling is featured on the 1840 Ordnance Survey map and is considered a non-designated heritage asset and a building that makes a positive contribution to the amenity of the street scene. The property lies within the residential parking permit zone, an advert area of special control and a smoke control area.

2.0 The Proposal

2.1 This proposal relates to the change of use of the recently approved ancillary accommodation (which at the time of compiling this report was under construction) into a one bed self-contained holiday let.

3.0 Site History

3.1 The Local Planning Authority have received a number of applications relating to this site:

Application Number	Proposal	Decision
15/01502/FUL	Demolition of existing garages and erection of an ancillary studio/bike store	Approved
16/01258/NMA	Non material amendment to planning permission 15/01502/FUL for the addition and amendment of windows and rooflights	Approved
16/01483/FUL	Provision of a new pedestrian gate access onto Long Marsh Lane	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Conservation	No objection
County Highways	Objection – Due to lack of on-site parking provision and manoeuvring space and possible impacts of ‘overspill’ parking upon the surrounding highway network.

5.0 Neighbour Representations

5.1 One letter has been received raising concerns regarding vehicle parking provision and the proposed development’s impact upon the surrounding highway network.

One letter of support from Marketing Lancashire stating that the proposed accommodation would contribute towards the growth potential of Lancaster’s visitor economy.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (**paragraph 14**). The following paragraphs of the NPPF are relevant to the determination of this proposal:

- **Paragraphs 7 and 9** Achieving Sustainable Development
- **Paragraph 17** Core planning principles
- **Section 7** Requiring Good Design
- **Section 12** Conserving and Enhancing the Historic Environment

6.2 At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. The public consultation period is from 27 January 2017 to 24 March 2017, after which (if the consultation is successful), the local authority will be in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan.

If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Development Management DPD

DM13 – Visitor Accommodation

DM20 – Enhancing Accessibility and Transport Linkages

DM22 – Vehicle Parking Provision

DM31 – Development affecting Conservation Areas

DM32 – The Setting of Designated Heritage Assets

DM33 – Development affecting Non-Designated Heritage Assets

DM35 – Key Design Principles

6.4 Lancaster District Core Strategy

SC1 – Sustainable Development

SC5 – Achieving Quality in Design

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of the Development;
- Design; and,
- Highway Implications.

7.2 Principle of the Development

7.2.1 The principle of the change of use of this ancillary domestic outbuilding to small-scale visitor accommodation must be assessed against policy DM13 of the Development Management DPD. Furthermore, paragraph 7 of the NPPF, identifies the economic dimension to sustainable development, which involves the planning authority supporting growth and innovation within the District. Paragraph 9 explains that pursuing sustainable development includes improving the conditions in which people live, work, travel and take leisure. Sustainable development includes access to local services, whilst one of the core planning principles seeks to make the fullest possible use of public transport, walking and cycling.

7.2.2 Policy DM13 states that proposals for self-catering accommodation will be acceptable where the site is located within the existing built-up area of Lancaster, Morecambe, Heysham, Carnforth or smaller settlement which provides a sufficient level of basic service provision, preferably on previously developed land.

7.2.3 The property is located on the periphery of Lancaster City Centre within walking distance of public transport services, namely Lancaster train and bus stations, and services within the city centre such as shops and restaurants. Furthermore, the property is located on the boundary of the Lancaster Castle and St Georges Quay tourism opportunity site as designated in the Lancaster District Local Plan. The central location of the development site is considered to be highly sustainable, within close proximity to the services the city centre has to offer, including tourist attractions and transport services. It is considered therefore that the use of the subject property as a holiday let is consistent

with the aforementioned strands of sustainability and will contribute towards the continued vitality and vibrancy of the city centre.

7.2.4 Given the location of the subject building within the domestic curtilage of Marshrange and its close relationship with the existing dwellinghouse, it is prudent to condition the holiday accommodation to be ancillary to the main use of the existing dwelling to ensure that it will not be sold or severed from Marshrange without the prior express consent of the Local Planning Authority. Furthermore, a condition limiting the duration of stay within the accommodation to 8 weeks in any one calendar year is considered reasonable to ensure that the property is properly used as a short-term holiday let.

7.3 Design

7.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policies DM30, DM31 and DM32.

7.3.2 The siting, scale and design of this structure was established through application 15/01502/FUL and 16/01258/NMA which sought amendments to windows and roof lights. No external alterations are proposed as part of this change of use application, therefore it is not considered that it will result in any impacts to the setting of the Conservation Area nor surrounding Listed buildings that have not already been assessed and deemed to be acceptable. Furthermore, no objections have been received from the Conservation Officer regarding the proposed use change.

7.4 Highways

7.4.1 An objection has been received from the County Highways department citing concerns regarding the lack of parking provision within the application site and potential 'overspill' parking onto the surrounding highway network. This concern is also expressed by a neighbour. As it has already been stated, the application site is located within a highly sustainable location with public transport services located within walking distance. Furthermore, the highways surrounding Marshrange are subject to extensive Traffic Regulation Orders, most notably the residential parking permit scheme. Unless using one of the pay and display parking spaces, on street parking in the immediate area is severely restricted. Given the above, it is not considered that a refusal reason based upon potential impacts to the surrounding highway networks is justifiable in planning terms.

7.4.2 With regards to the lack of on-site parking provision and manoeuvring space, as raised by County Highways, the application site benefits from sufficient space to provide parking for at least four vehicles. It is considered that one space would be sufficient to service the holiday let, with the remaining three spaces available for the dwellinghouse. The parking provided is seen to meet the parking standards as set out in Appendix B of the Development Management DPD. It is also considered that sufficient space is provided within the site to allow for manoeuvring of a vehicle in order to access and egress the site in a forward gear.

8.0 Planning Obligations

8.1 There are none to consider as part of this application.

9.0 Conclusions

9.1 The site is located within a highly sustainable location within close proximity of the facilities available in Lancaster City Centre including public transport services. Furthermore, the on-site parking provision is considered sufficient to service both the dwellinghouse and the holiday let whilst Traffic Regulation Orders on the surrounding highway network will prevent unauthorised on-street parking in the immediate area. It is concluded therefore that the use of this building as a holiday let can be supported, whilst the objection raised by County Highways is not considered sufficient to provide a justifiable reason capable of being upheld at appeal.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard three year timescale
2. Development in accordance with approved plan
3. Holiday occupancy
4. Ancillary to main use of Marshrange
5. Duration of stay

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

In accordance with the above legislation, the City Council can confirm that it has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None