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| Agenda Item A8 | Committee Date 11 December 2017 | Application Number 17/01076/LB |
| Application Site Derby Home Pathfinders Drive Lancaster Lancashire | | Proposal Listed Building application for the conversion of Derby Home into six apartments (C3) |
| Name of Applicant Homes and Communities Agency | | Name of Agent Miss Rosanna Cohen |
| Decision Target Date 6 November 2017 | | Reason For Delay Committee Cycle |
| Case Officer | | Mr Mark Potts |
| Departure | | No |
| Summary of Recommendation | | Approval |

(i) Procedural Note

A site visit was arranged for Committee Members to view this site prior to determination, and this was undertaken on 6 November 2017.

1.0 The Site and its Surroundings

- 1.1 Derby Home was designed and built in 1912-13 and is a stone built rectangular structure of a domestic Gothic style beneath a gauged slate gable roof. The rectangular core of the building is a story and a half high with an additional storey with a habitable projecting eastern wing and a single story structure to the south. The building has been terraced into the slope of in its western edge and a part subterranean cellar has been created beneath the northern half of the building. The proposal is situated in the proximity of seven listed buildings and due to its historic connection and association with Royal Albert Hospital (Grade II*), Derby Home is considered curtilage listed. The wider site location is referred to in greater detail in the committee report for planning application 17/01074/HYB.

2.0 The Proposal

- 2.1 Listed building consent is sought for the conversion of the building into 6 apartments. Externally the changes will involve the demolition of flat roof extension on the south facing elevation, including the current external staircase at the southern edge of the eastern elevation. There is a present timber infill within the northern elevation which is also proposed to be demolished. Replacement windows are proposed and there will be a need for replacement stonework in some locations. Internally there will be some subdivision to facilitate the development and this would involve the demolition of some internal sub-divisions and the construction of new ones.

3.0 Site History

- 3.1 The relevant site history is noted below.

| Application Number | Proposal | Decision |
|---------------------|---|------------------|
| 17/01074/HYB | Hybrid application comprising an outline application for up to 71 dwellings with associated upgrading works to Pathfinders Drive, and a full application for the conversion of Derby Home into six apartments (C3) and creation of associated parking | Pending decision |
| 15/00970/LB | Listed building application for the demolition of the existing side extension | Approved |

4.0 Consultation Responses

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

| Consultee | Response |
|--|--|
| Historic England | No observations to make on the planning application |
| Conservation Officer | No objection. With respect to the conversion of Derby Home they consider there would be a degree of harm caused by the subdivision however this would be less than substantial. The Conservation Officer recommends that the flat roof dormer is removed. |
| Lancashire Archaeology Advisory Service | No Objection however recommends that the building is subject to a Level 3 standard survey. |

5.0 Neighbour Representations

5.1 No representations have been received directly in relation to this listed building consent application, however there has been in relation to planning application 17/01074/HYB.

6.0 Principal National and Development Plan Policies

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

Paragraph 12 – Development Plan as starting point for decision making

Paragraph 17 – 12 Core land-use planning principles

Paragraphs 128-141 – Conserving and enhancing the historic environment

Paragraphs 196-198 – Determining planning applications

6.2 Lancaster District Core Strategy

SC1 – Sustainable Development

6.3 Development Management DPD

DM30 – Development Affecting Listing Buildings

DM32 – Setting of Heritage Assets

DM33 – Setting of non-designated heritage assets

DM34 – Archaeological Features & Scheduled Monuments

DM35 – Key Design Principles

7.0 Comment and Analysis

7.1 The NPPF states that when considering the impact of a proposed development on the significance of a designed heritage asset, great weight should be given to the asset's conservation. Similarly, the local planning authority in exercising its planning function should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states "*In considering whether*

to grant planning permission for development which affects a Listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses". Paragraph 132 of the NPPF seeks to express the statutory presumption set out in S66(1) of the 1990 Act. How the presumption is applied is covered in the following paragraphs of the NPPF, though it is clear that the presumption is to avoid harm. The exercise is still one of planning judgment but it must be informed by the need to give special weight to the desirability to preserve the heritage asset.

7.2 External Alterations

- 7.2.1 Externally the scheme seeks permission to remove the existing flat roof extension to the south elevation (which has already the benefit of listed building consent for its removal), including the timber extension to the north elevation and the stairs on the front elevation are also proposed to be removed. No window detail has been proposed and whilst this is less than ideal it is considered that this issue can be addressed by means of planning condition. This is a view shared by the Conservation Officer.

7.3 Internal Alterations

- 7.3.1 Internally there will be a degree of harm associated with the subdivision of Derby Home, however this would be less than substantial harm and a building record condition would help assist in mitigating some of the harm caused by the subdivision (which the Conservation Officer supports). The Conservation Officer has suggested that it would be prudent to remove the flat roof dormer on the side elevation (northerly elevation) however the dormer has existed for some time and it is not on the primary elevation of the building and views of it are limited. With this in mind it is not considered reasonable to seek to ask for its removal as part of this planning application. It is important however that the retention of historic fixtures and detailing within the entrance porch/hallway remains and this can be controlled by condition.

7.4 Overall Considerations

- 7.4.1 There will be some harm due to the subdivision however the conversion will involve the removal of the modern extension on the principle elevation therefore better revealing the aesthetic value of the building and fundamentally contributing to its long term use and conservation. Planning conditions are recommended concerning the stonework repair, building materials (to include window, door, stone samples, rainwater goods and flue and vent details) together with any replacement roofing material, and a Level 3 building record analysis to be undertaken.
- 7.4.2 On balance it is considered that there will be harm caused to Derby Home, however this would amount to less than substantial harm. It is considered that the development would amount to less than substantial harm but this is outweighed by the public benefits associated with restoring this curtilage listed building and bring it back into use and it is considered that the development complies with Policies DM30, DM32, DM33 and DM34 of the Development Management DPD.

8.0 Planning Obligations

- 8.1 None applicable to this individual application.

9.0 Conclusions

- 9.1 The local planning authority are supportive of the conversion of Derby Home which retains heritage value on several levels and, as such is considered to be of district/local heritage significance. The exterior of Derby Home largely retains its original appearance, and has some visual connection with the adjacent listed buildings and whilst internally in poor condition the original layout and character of the ground floor spaces appears to have been retained and the function of each space can be understood.
- 9.2 The proposed development will entail the renovation and consolidation of a building that is accepted has been derelict for an extended period of time and as a result its condition has deteriorated, and therefore the proposed development would ensure that long term survival of the building, albeit altered for the foreseeable future.

Recommendation

That Listed Building Consent be **GRANTED** subject to the following conditions:

1. Standard 3 year timescales
2. Approved Plans
3. Building Materials
4. Level 3 Building Recording
5. Stonework repair methodology
6. Details of ramp access to front elevation

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

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.