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| <b>Agenda Item</b><br>A7  | <b>Committee Date</b><br>23 July 2018 | <b>Application Number</b><br>18/00405/FUL  |
| <b>Application Site</b><br><br>St Thomas Centre<br>Marton Street<br>Lancaster<br>Lancashire |                                       | <b>Proposal</b><br><br>Relevant Demolition of existing 2 storey Church Centre building and erection of a replacement 2.5 storey Church Centre building, including single storey lean-to and single storey link to the adjacent Church and alterations to existing carpark, including creation of steps and resurfacing |
| <b>Name of Applicant</b><br><br>Mr Tim Parsons  |                                       | <b>Name of Agent</b><br><br>Mr Dan Brown   |
| <b>Decision Target Date</b><br><br>24 July 2018   |                                       | <b>Reason For Delay</b><br><br>None  |
| <b>Case Officer</b>   |                                       | Mrs Eleanor Fawcett  |
| <b>Departure</b>  |                                       | No   |
| <b>Summary of Recommendation</b>  |                                       | Approval, subject to the receipt of a suitable bat survey report and amendments to the gate and railing details  |

## **1.0 The Site and its Surroundings**

- 1.1 The application site is within the centre of Lancaster and relates to St Thomas' Church Centre, and the associated land surrounding this, in addition to St Thomas's Church and an existing car park to the south. The church centre is two storey, finished in a mix of stone and render, and fronts onto Marton Street, with the building abutting the rear of the pavement. It also adjoins Victoria Place at the rear, which is at a higher level than the ground floor of the building. The boundary wall enclosing the land to the west of the centre lies adjacent to Peter Street. Both Peter Street and Victoria Place are fairly narrow cobbled roads that link from Marton Street to Penny Street and provide access to the carpark. The land rises at the entrance to this and there is a retaining wall adjacent to Victoria Place. Within the carpark is a large modular building which is used as a nurse's office.
- 1.2 The church lies to the west of the church centre building and is separated by a paved area and steps which provides access from Marton Street to both buildings and Victoria Place via some steps. St Thomas's Church is Grade II Listed and is set back slightly from Marton Street and fronts onto Penny Street. It is enclosed by walls and railings which are separately Listed (Grade II). To the east of the site, adjacent to Peter Street, is a row of two storey stone properties which front onto Thurnham Street and Marton Street and comprise a mix of commercial and residential uses. To the north is the Police Station and to the south is a garage building between Victoria Place and the carpark. The site is located within the Lancaster Conservation Area and is just outside the Lancaster Air Quality Management Area.

## **2.0 The Proposal**

- 2.1 Planning permission is sought for the demolition of the church centre and the construction of a larger building over three floors. The main part of the building will be on a similar footprint to the existing building but will be oriented with the roof slope facing Marton Street and will have a large gable projection at the rear. A large single storey lean-to is proposed on the east elevation, which will

extend into the existing external space to the east, up to a new footway which is proposed adjacent to Peter Street. A smaller lean-to is proposed on the west elevation to provide a lobby to the new building, and this will be linked to St Thomas's church, towards the southern part of the east elevation, with a glazed link. The proposal also includes resurfacing and marking of the carpark, the creation of steps linking this to Victoria Place, with a footway across the highway, and the installation of some metal gates and railings.

### **3.0 Site History**

3.1 The most relevant site history is set out below.

| Application Number     | Proposal   | Decision            |
|------------------------|--|---------------------|
| <b>18/00543/LB</b>     | Listed building application for a single-storey glazed extension to connect the former choir vestry of the church and the proposed replacement Church Centre building, alterations to the former choir vestry including the removal of an existing timber door and replacement with timber-framed partition and the removal of arched windows to the south elevation and replacement with fire escape door, installation of new perimeter security gates adjoining the Penny Street and Marton Street elevations, and alterations to the boundary wall to Victoria Place including the addition of a wrought iron railings | Under consideration |
| <b>16/01486/PRETWO</b> | Pre-application advice in relation to the erection of a replacement 2.5 storey Church centre   |                     |

### **4.0 Consultation Responses**

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

| Consultee   | Response   |
|---|--|
| <b>Environmental Health</b>                       | In relation to air quality, recommends provision of cycle parking, two electric vehicle charging points, and a construction environmental management plan to deal with any dust issues.  |
| <b>Conservation Team</b>                          | <b>Support</b> , subject to conditions. The proposal would lead to total loss of a Non-Designated Heritage Asset, which would harm the building's significance. The demolition would also cause harm to the significance of Lancaster Conservation Area and the adjacent Listed Building. This harm is considered to be less than substantial, but there are significant public benefits which could outweigh the harm.  |
| <b>Tree Protection Officer</b>                    | <b>No objection</b> , subject to conditions requiring: development carried out in accordance with the submitted Arboricultural Impactions Assessment; submission of an Arboricultural Method Statement; and a scheme for new tree planting.  |
| <b>County Highways</b>                            | <b>No objections</b> subject to conditions requiring: a construction management plan; off-site highway works; review of street lighting arrangements on Peter Street; and review of pay and display parking arrangements; reinstatement of footway/highway (if damaged/excavated); and surfacing of carpark.   |
| <b>Ancient Monuments Society</b>                  | <b>No concerns</b> raised.   |
| <b>Lancaster Civic Society</b>                    | <b>No objection to the demolition</b> of the existing building, with the retention of the exterior plaque. Further thought should be given to certain issues of detailing: the clean lines of the building are not enhanced by the prominent dark cladding surrounding the first-floor windows; there is a lack of harmony between the lean-to and main part of the building; insufficient detail on the drawings in relation to the glazed link; and lighter coloured cladding to match the render should be considered facing Peter Street and Victoria Court. |
| <b>Lancashire Archaeological Advisory Service</b> | <b>No objection</b> , subject to an archaeological watching brief during construction.   |

## **5.0 Neighbour Representations**

- 5.1 1 piece of correspondence has been received which raises an objection to the proposal and the following concerns:
- Increased traffic on Marton Street;
  - The building is structurally sound and should not be demolished given its appearance and location next to the church;
  - The congregation gave generously in time and money to have the building restored just over 30 years ago;
  - There is a risk that demolition could occur before funds are available for the new building.
- 5.2 3 items of correspondence have been received in support of the proposal, raising the following points:
- The design enhances the streetscape and complements the church and adjacent properties;
  - It will bring positive activity to the street and local area;
  - The building is no longer fit for purpose for current and future activities and remodelling of this would not meet the needs and the building is increasingly expensive to maintain;
  - It will provide facilities for the church to serve the local community.

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF)**

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles  
Paragraph 23 – Ensuring the vitality of town centres  
Paragraph 32 – Access and Transport  
Paragraphs 56, 58 and 60 – Requiring Good Design  
Paragraph 70 – Delivering Social, Recreational and Cultural Facilities and Services  
Paragraph 118 – Conserving and enhancing biodiversity  
Paragraphs 131 – 134, 137 and 141 – Designated Heritage Assets  
Paragraph 135 – Non-designated Heritage Assets

### **6.2 Local Planning Policy Overview – Current Position**

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

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

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs were published on the 9 February for an 8 week consultation in preparation for submission to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 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 2017, 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 Lancaster District Core Strategy (adopted July 2008)**

#### 6.4 Development Management Development Plan Document

DM1 – Town Centre Development  
DM3 – Public Realm and Civic Space  
DM4 – The Creation and Protection of Cultural Assets  
DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking and Cycling  
DM22 – Vehicle Parking Provision  
DM27 – The Protection and Enhancement of Biodiversity  
DM30 – Development affecting Listed Buildings  
DM31 – Development Affecting Conservation Areas  
DM32 – The Setting of Designated Heritage Assets  
DM33 – Development Affecting Non-Designated Heritage Assets or their settings  
DM34 – Archaeological Features and Scheduled Monuments  
DM35 – Key Design Principles  
DM39 – Surface Water run-off and Sustainable Drainage

#### 6.5 Other Material Considerations

Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **7.0 Comment and Analysis**

7.1 The main issues to be considered in the determination of this application are:

- Demolition of the building
- Scale and design and the impact on the Conservation Area and Listed Buildings
- Impacts on Archaeology
- Highway Implications
- Impacts on Residential Amenity
- Impact on Trees and Ecology
- Air Quality

#### 7.2 Demolition of the building

7.2.1 The building is located within the Lancaster Conservation Area and it sits adjacent to St Thomas' Church, which is a Grade II Listed Building. The church dates from 1840-41 and was designed by Edmund Sharpe with a later chancel and steeple added 1852-53 by Sharpe and Paley. The church centre was built in 1843 as a school and acquired by the vicar of the Church of St Thomas in 1845. Ownership of the building passed to County Council in the 1960s and came back into the church ownership in the 1980s. Although alterations have clearly taken place to the building since then, and not all of the alterations have been sympathetic, given the building's age, architectural features and historic association with the listed church, the building was identified as a positive unlisted building within the Lancaster Conservation Area Appraisal and is considered to be a non-designated heritage asset. The latter has been confirmed through an assessment made by the Conservation Team.

7.2.2 Policy DM31 of the DM DPD sets out that proposals which involve the loss of a building that makes a positive contribution to the significance of the Conservation Area will not be permitted unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh the harm. In addition, Policy DM33 sets out that there will be a presumption in favour of the retention of a non-designated heritage asset, and any loss would require clear and convincing justification. In the national context, guidance regarding non-designated heritage assets is clear. Local authorities may identify buildings, monuments, sites, areas or landscapes as a non-designated heritage asset. Where identified, these assets will have *"a degree of significance meriting consideration in planning decisions"*.

- 7.2.3 The application includes a number of reports assessing the condition of the building and the works required in relation to its maintenance. A Heritage Assessment accompanies the Design and Access Statement and this sets out some justification for the replacement building, with a consideration of works and extensions to the existing building in order to meet the current and future needs. Initial concerns regarding the detail provided, particularly in relation to costs, have been allayed and are set out later in this report. The structural survey also demonstrated that the existing building could be reused and the need for the additional space, including existing and proposed space was not fully articulated, although it had been set out that there were particular issues with space on a Sunday, with a requirement to utilise the modular building in the carpark. As such, further information was requested to better demonstrate the limitations of the existing building and justify the additional space proposed, in addition to more details in relation to the works required and associated costs set out in the various surveys and reports.
- 7.2.4 A separate statement aimed at justifying the loss of the non-designated heritage asset has now been provided. This provides a history of the building, including how it has changed over time, the restrictions of the building, aspirations for the new development, condition issues of the building and options for remodelling. The building was originally single storey, with a second floor accessed by external stone steps added in 1845. In the 1980s, major alterations were carried out to bring the building back into use, including the replacement of the roof structure in a different form, alterations to external windows and doors, additions to the east elevation and significant changes to the internal space. Historic photographs have been provided to show how the building has changed over time.
- 7.2.5 The existing centre has a gross internal floor area of 580 sq.m over two floors. The available meeting room space for groups over 8 persons is limited to 2 rooms. A large room of approximately 100 sq.m is available at ground floor level and a further meeting room is located at first floor with the latter accessed via an external staircase. The submission identifies the following issues with the current building: poor accessibility across the site; poor integration between buildings; physical security and ensuring the safeguarding of children and vulnerable adults who use the buildings; appearance; limited space for community activities and groups; lack of disabled access to the first floor; poor layout of accommodation; lack of storage; noise egress between spaces; and lack of flexibility.
- 7.2.6 More information has now been provided in relation to the groups that currently use the building, with clarification of the particular needs on Sunday mornings, where existing issues with the availability of space for children's groups had already been highlighted. The building is also used by a parent and toddler group, which is at capacity and cannot operate on another day due to lack of availability of space. There are also restrictions to the existing holiday club for school age children because of space. The building also caters for summer fun days, week night children's and youth groups and contains offices used in association with the church.
- 7.2.7 In addition to expanding existing activities the aim of a new centre would be offer a variety of services to meet people at their point of need, such as:
- A Family Life Centre, that will support families under pressure, through counselling and family therapies, support groups for those raising children with special needs, and parenting and relationship courses;
  - Parish nursing, which provides a qualified and registered health visitor or nurse who is employed by the church, and who is able to offer medical care and advice but in the context of care for the whole person, body, mind and spirit;
  - CAP (Christians Against Poverty) Life Skills courses, helping people learn how to cook on a budget, and manage their finances; and
  - Lunch Club for the elderly that might sit alongside the regular midweek communion service, to help meet the needs of those who are isolated and lonely in the city.
- 7.2.8 The submission also sets out that the building would be used by the community and they have had to turn down requests for regular use of the building by community, due to lack of space, from community groups including:
- An organisation which carries out community integration work to build bridges with those settling in Lancaster from overseas;
  - A charity providing support to those with mental health issues in Lancaster & Morecambe;
  - An organisation wanting to offer parenting classes to parents of children with learning difficulties and special educational needs;

- An organisation wanting space for a community parent and toddler group;
- An organisation co-ordinating support for the homeless and those in need across Lancaster
- The NHS wishing to offer regular health services.

7.2.9 There are a number of structural issues which would need to be addressed, but can be remedied, although they do have associated costs. The feasibility of adapting the existing building has been considered, with layouts prepared to show how it could be remodelled and extended. This would include the addition of internal stairs and a lift and a single storey side extension to create a hall, however they have identified that this would not meet the needs on a Sunday, and still require to use of the modular building, and would not meet all of their aspirations as highlighted above as it would be difficult to provide a second floor. An updated cost analysis has been undertaken to understand the potential costs of both the New Build Church Centre Development and the Remodelling Option using the latest cost data available. Whilst the overall construction cost is higher for the new build option, the VAT for the remodel option is £465,000 which makes the scheme more expensive.

7.2.10 As set out above, the loss of the building requires clear and convincing justification. The submitted statement illustrates that the centre was substantially altered in the 1980s and also considers the existing uses and constraints of the building and looks at the feasibility of reusing the existing building against the proposed new build option. The building is still be considered a non-designated heritage asset, but in light of the information provided this significance has been considerably diminished through modern alterations. In addition, it has been clearly outlined that there are public benefits arising from the proposals. Therefore, whilst the demolition would still cause a degree of harm to the non-designated heritage asset and associated church (Grade II), the harm is considered to be less than substantial, and there are significant public benefits which could outweigh the harm. There is a stone plaque on the existing building, which relates to the historic use of the building. This will be re-sited in the centre of the main part of the building, at ground floor, facing Marton Street.

### 7.3 Scale and design and the impact on the Conservation Area and Listed Buildings

7.3.1 The proposed building will be over three floors and the main part of the building will be on a similar footprint to the existing building but will be orientated with the roofslope facing Marton Street, with a large gable projection at the rear. The front part of the building will be approximately 1.3 metres higher than the existing building. A large single storey lean-to is proposed on the east elevation, which will extend into the existing external space to the east, up to a new footway which is proposed adjacent to Peter Street. A smaller lean-to is proposed on the west elevation to provide a lobby to the new building, and this will be linked to St Thomas's Church with a glazed link. The front section of the building is proposed to be finished in a mix of reclaimed stone from the existing building and ashlar stone, with elements of dark grey cladding providing framing to windows. The rear projection would be finished in a through coloured render and the roof would be slate.

7.3.2 The large single storey lean-to on the eastern elevation is proposed to be a mix of reclaimed stone, grey cladding and glazing. It was originally proposed to have a sloping slate roof, however there were concerns regarding the appearance of this, given its depth, as it did not appear as an integral part of the design for the whole building. As such, the sloping section has been shortened, introducing a flat roofed element and this would have a grey Glass Reinforced Plastic (GRP) roof with a lead roll effect. A smaller lean-to is proposed on the west elevation which would be mostly glazed and have a sloping roof, similar to the other lean-to but with a large amount of glazing. This would encroach into the area which separates the current building from the church. From this a glazed link to the church is proposed which would mostly have a flat GRP roof, with the exception of a small section which would be glazed and attach to the listed building. The glazing would be set into the wall of the church.

7.3.3 The proposed massing and scale relates well to the surrounding built form and will still retain the listed church's prominence in the streetscene. The design draws influence from the neighbouring church with the use of a pitched roof, oriented with the roofslope facing the highway, with coping stones and verticality of windows, but incorporating a modern approach. The re-use of the stone from the existing building, with ashlar above in addition to the slate roof is considered to be appropriate within the historic context. It is considered that the more modern materials, including the cladding and the GRP roof, will provide a contemporary appearance whilst not detracting from the character and appearance of the Conservation Area or the adjacent listed church and associated wall and railings. The alterations to the lean-to are an improvement to the scheme. Whilst the

footprint has remained largely the same, the reconfiguration of the lean-to roof has reduced the visual dominance of this feature which was a concern with the original proposal. A more simplified surround to the first floor windows in the gable facing Peter Street elevation has also been proposed which provides cleaner lines, more in keeping with the overall design concept.

- 7.3.4 The building will attach to the listed church via a glazed link. This will be in the form of a short length of frameless glass surround to the arched doorway of the choir vestry. This connection is proposed to be sawcut into the existing structure and held in place by a polysulphide sealant. A lead flashing would be proposed over the existing hood mould to maintain a weather proof seal. This is considered to have a minimal impact both visually and physically upon the listed building and is considered to be an appropriate solution to link the new building to the church.
- 7.3.5 Concerns have been raised with the agent in relation to the design of the proposed new fences and gates which have been proposed between the side of the church and Victoria Place, between the church and Marton Street, and between the wall abutting Victoria Place and the new building. Given that the railings and walls around the church are separately Grade II listed and were designated separately for their ornate design and association with Edmund Sharpe, there are concerns that the proposed design of railings would diminish this architectural interest. In addition, they will be projecting above the boundary wall which is considered to be inappropriate. It was advised that the gates immediately adjacent to the church (marked as A and B) were removed from the proposal or significantly redesigned to be more sympathetic to the surrounding architectural detail and character. Following these concerns being raised, amended details have been provided. Whilst the design does copy the finial detail, they are not a particularly sympathetic addition as the piers have a square profile. In addition, it appears that the height of one of these (marked as A) has been increased, so that it projects above the wall which bounds Victoria Place. The design of this is considered to be inappropriate and the agent has been advised that the details should be amended to better reflect the detail of the historic gates and fences the church.
- 7.3.6 The car park to the rear is proposed to be resurfaced with tarmac, with the existing concrete ramp from the highway retained. The carpark is well contained from public viewpoints and, as such, this surfacing is considered to be acceptable. There are some other areas of surfacing around the proposed building, including an external terrace at the front and a footway. At present the details of these are shown as paving flags, setts and tarmac for the footway. There are some concerns regarding the latter, and there may be a more sympathetic solution, although it is acknowledged that this would be easier to maintain, however the footway along Marton Street is flags rather than tarmac. The precise details of this can be covered by condition and there may need to be some input from the Highway Authority if they decide to adopt this.
- 7.3.7 Overall, subject to the resolution of the concerns with regards to the gates and railings, the proposed development is considered to be acceptable in terms of its scale, siting and design and will not detract from the character and appearance of the Conservation Area or the adjacent listed church.

#### 7.4 Impacts on Archaeology

- 7.4.1 Some comments have been received from the Lancashire Archaeological Advisory Service in relation to the potential for archaeological remains at the application site. The church fronts onto Penny Street, which is known to represent the line of the main north-south Roman road running into Lancaster and appears to have remained in use from that time to the present day. By the end of the medieval period Lancaster seems to have extended as far as the south end of Penny Street, where 'The White Cross' stood. This is shown on Speed's map of 1610 as well as maps of 1684 and 1778. The latter two maps also show the plot which was later occupied by the church and school as an undeveloped east-west strip, reminiscent of a medieval burgrave plot or strip field, which appears to have extended east as far as the present Aalborg Square. A map of 1821 again shows it as open ground, with the eastern end being used as gardens.
- 7.4.2 The above indicates that some areas of undeveloped land, with a potential for the preservation of prehistoric and Roman archaeological remains, may exist on the site. The first of these, between church and church centre, has probably been impacted by the construction of both buildings and by the 1980 works to the building. To the east side of the church centre, only limited landscaping works have been undertaken and this section has more potential for early remains to survive. It is possible that some areas between the existing foundations of the church centre may also retain undisturbed deposits, as may the car park. It is noted, however, that remains of the Roman cemetery have only

been recorded up to 25 metres back from the line of the Roman road to date. The west side of St Thomas Church Centre is located some 50 metres from the road line, and the most promising area adjacent to Peter Street is 67-77metres away. The west end of the car park is only some 25 metres from the road, but only limited resurfacing is proposed in that area. Given this, and the uncertainty in the provenance of the prehistoric remains, the Lancashire Archaeological Advisory Service have advised that archaeological investigation is not required prior to a planning decision being made. It has also been advised that it would also seem unjustified for formal archaeological excavation to be required, but it is considered that an archaeological watching brief during the development is appropriate. This can be covered by condition.

## 7.5 Highway Implications

- 7.5.1 The site is easily accessible by a choice of sustainable travel modes including foot, cycle and public transport. The surrounding pedestrian environment is of an acceptable quality, with footways being well lit adding to a sense of personal security. Signage and the built form add to a good level of legibility with adjacent pedestrian footway links providing an acceptable means of access to the site. The site lies adjacent to a designated cycle route which provides access to the city centre and surrounding cycle network. The proposed layout plan does not identify any cycle parking, however it is considered that there is scope to provide this. Parking is restricted on the highway in the vicinity of the site. There is some parking provided by the private carpark with additional parking available in established city centre carparks and other street parking.
- 7.5.2 The Highway Authority has advised that there is the potential for greater use to be made of Peter Street and its junction with Marton Street as the most direct means of access to the associated parking facilities. Peter Street is considered to be sub-standard in terms of the nature of the carriageway, only allowing for singular vehicle movements, with pedestrian movements restricted with a lack of footways. They have also advised that driver forward visibility at the junction of Peter Street and Marton Street is restricted due to on-street resident pay and display parking arrangements. In order to overcome concerns, the scheme includes the widening of Peter Street, where it adjoins Marton Street, in order to allow two vehicles to pass. A footway has also been shown within the site adjacent to Peter Street in order to aid pedestrian movements. The Highway Authority have also advised that there should be a review of the on street parking arrangements along the frontage of the site with Marton Street in order to aid visibility. These can all be covered by condition.
- 7.5.3 It is presumed that the development will increase the frequency of pedestrian/vehicular movements along Marton Street, Peter Street & Victoria Place. In addition to the measures outlined above the Highway Authority have also advised that a short length of centre line, transverse & Stop/Give Way thermoplastic markings should be laid at the junction of Peter Street with Matron Street and that there should be a review of street lighting arrangements on Peter Street, with an upgrade where appropriate. A traffic management plan has also been requested, however, the site is heavily restricted by parking restrictions and any direct impact on the highway (or excavation or works to the highway, and subsequent reinstatement) can be controlled by the Highway Authority. Overall, subject to the inclusion of conditions as set out above, it is considered that there will not be a detrimental impact to highway safety as a result of the proposal, and there is likely to be some improvement to the existing situation with the road widening and footpath works proposed.

## 7.6 Impacts on residential amenity

- 7.6.1 The proposal introduces built elements closer to properties to the east, which appear to be partly residential. However, given the height of the closest part of the building, 4.8 metres, and the separation by the lane and rear yards, it is considered that there will not be a detrimental impact on residential amenity.

## 7.7 Impacts on Trees and Ecology

- 7.7.1 Trees and shrubs within the site are generally in good overall condition and can be seen from the wider public domain as such they make a positive impact upon the character and appearance of the site and the immediate locality. S2 (cotoneaster), T3 weeping birch, G4 (cypress) and T9 (rowan) are

proposed for removal in order to accommodate the development. All other trees and shrubs are to be retained. The most important amenity trees, T5 and T6 (lime) are to be retained and appropriately protected. The development will encroach into the root protection area of retained tree T1 (sycamore). However, there are existing areas of hardstanding within the root protection area of this tree which may have constrained root growth. However, the presence of roots cannot be excluded. As such, the Tree Protection Officer has advised that a detailed Arboriculture Method Statement (AMS) will be required for all works proposed within the theoretical root protection area of retained trees. It is recommended that only “root friendly” materials and methods of working are used within this area to ensure the long term sustainability of the tree.

- 7.7.2 Additional planting is proposed at the entrance to (and within) the car park at the rear, and a small green space/planting bed is shown to the front of the lean-to on the side of the building. Scope for additional planting is limited, given that the development occupies much of the space to the side of the existing building. A condition to ensure that proposed landscaping is sufficient and appropriate.
- 7.7.3 As a result of the age and nature of the building and the proximity to the canal, it is considered that a bat survey is required. One has been submitted, however this only relates to the church and does not include the church centre building. The agent has been advised in relation to this and it is hoped that the relevant surveys can be undertaken prior to the Planning Committee Meeting.
- 7.7.4 The submitted report does provide some useful information in relation to bat activity in the area, as the assessment included an inspection of the building to be demolished, in addition to bat activity survey, and was carried out in summer 2017. The report sets out that during the initial dusk survey there was exceedingly limited bat activity detected around the building. A single common pipistrelle was observed flying up and down the Marton street side of the church, underneath the scattered tree line. Although activity was so low, there was some slight uncertainty about the flight-line of one of the bats, which wasn't thought to have emerged from the Church, but which could not be satisfactorily confirmed either way. During the dawn survey, bat activity was even less, and revealed no re-entry of bats, and clarified that there was no habitual use of any feature on the Church for bat roosting.
- 7.7.5 The report sets out that the results were in line with the Ecologist's reasonable expectation, given the urban nature of the site and the presence through the hours of darkness of high-power external security lighting at the site and nearby Police Station, neither of which confer high suitability to bat activity. Given the proximity of the building to be demolished to the church, it is unlikely that, even if a roost is discovered, that it would contain a significant number of bats because of the limited bat activity found from the surveys. However, as there is potential for bats, a decision cannot be made in relation to the application until the building has been surveyed, and further emergence surveys carried out if deemed to be necessary. If a roost is found, then a licence would be required from Natural England and, before the planning application is determined, the Local Planning Authority would need to be satisfied that the proposal would pass the three derogation tests that would be considered when deciding to grant a licence. These tests relate to there being an overriding public interest for the development, no satisfactory alternative, and the works not being detrimental to the maintenance of the population of bats. Given the nature of the proposal and the justification put forward for the replacement building, the first two tests could be passed. The third would be dependent on surveys, but as set out above it is unlikely that, if there is a roost, that it supports significant numbers of bats. An update will be provided to Committee in relation to this issue.

## 7.7 Air Quality

- 7.7.1 The site is located outside but in close proximity to the Lancaster Air Quality Management Area (AQMA). As the proposed building is slightly larger than the one it replaces and it will likely be more used, the Air Quality Officer advises that it is reasonable to assume that there may be a small increase in traffic and this may impact on the AQMA. It has been recommended that there is suitable provision of parking for cyclists in addition to at least two electric vehicle charging points. The agent has been asked if these can be included within the scheme. There should be scope to include the cycle parking, and this would probably be more appropriately-located close to the building rather than in the car park. It is not clear if it will be practical to provide the vehicle charging points, given the distance of the carpark from the building, but it would be a benefit to the overall scheme. If there are reasons why it is not possible to provide this, then it is considered that this would not justify the refusal of the scheme, particularly as there are a variety of modes of transport which can be utilised, given the city centre location. The Air Quality Officer has also recommended that a Construction Environmental Management Plan is provided to deal with dust issues that may arise. However, it is

considered that this issue can be adequately controlled by separate legislation.

## **8.0 Planning Obligations**

8.1 There are no planning obligations to consider in relation to this proposal.

## **9.0 Conclusions**

- 9.1 The proposal requires the demolition of the existing church centre leading to the total loss of a Non-Designated Heritage Asset, which would harm the significance of the building, in addition to the significance of Lancaster Conservation Area and the adjacent Listed Building. It is considered that sufficient justification has been provided for the loss of the building, to satisfy the requirements of Policy DM33 of the DM DPD, and that there are significant public benefits which would outweigh the harm, which is considered to be less than substantial for the purposes of the NPPF. The massing and scale of the proposed building relates well to the surrounding built form and will still retain the listed church's prominence in the streetscene, drawing influence from the adjacent church whilst introducing more contemporary elements. It is considered that the building would preserve, and possibly enhance, this part of the Conservation Area and will not detract from the listed church.
- 9.2 The proposal is also considered acceptable in terms of impacts on residential amenity, highway safety and air quality. Subject to the submission of appropriate bat surveys covering the building to be demolished, that demonstrate that the proposal will not significantly impact on bat populations, and some alterations to the gate and railing details, the development is considered to be acceptable.

## **Recommendation**

That Planning Permission **BE GRANTED** subject to the receipt of appropriate bat surveys and amendments to the gates and fencing and the following conditions:

1. Standard three year timescale
2. Approved plans
3. Secure contract for construction prior to demolition
4. Archaeological watching brief
5. Arboricultural Method Statement
6. Contaminated land assessment and remediation
7. Drainage scheme
8. Scheme of highway improvement works: road widening; pedestrian links; road markings; review of street lighting to Peter Street and parking arrangements on Marton street.
9. Materials/details including – stone; render; roofing materials; cladding; eaves verge and ridge details; rooflights; flues and vents; boundary treatments, including gates and fencing to churchyard; surfacing materials; windows and doors; window surrounds; barrier to car park; any repairs to the plaque; louvres; glazed extension to church.
10. Landscaping Scheme
11. Development in accordance with Arboricultural Implications Assessment
12. Surfacing and marking to car park
13. Provision of cycle storage
14. Inclusion of existing plaque, as shown on the drawings
15. Hours of construction

## **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 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