

Agenda Item A10	Committee Date 23 July 2018	Application Number 18/00637/VCN
Application Site Site Of Former Filter House Scotforth Road Lancaster Lancashire		Proposal Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores (pursuant to the variation of condition 2 on planning permission 16/00847/FUL for amendments to floor plans and elevations to provide 12 7-bed cluster flats (sui generis) and 14 6-bed cluster flats (C4) including amendments to the fenestration and heights of the buildings)
Name of Applicant Mr Vivian Watts		Name of Agent Mr Barry Singleton
Decision Target Date 26 September 2018		Reason For Delay Not applicable
Case Officer		Mr Mark Potts
Departure		Yes
Summary of Recommendation		Approval (subject to the receipt of amended plans)

(i) Procedural Note

The application would ordinarily be determined under delegated powers, but the scheme is a departure from the Development Plan (given its allocation within the Local Plan as employment land), and Officers are recommending support of the scheme. Therefore it has to be determined by Planning Committee.

1.0 The Site and its Surroundings

- 1.1 The application site relates to a parcel of land of 0.8ha on the west side of the A6, south of the urban area of Lancaster and approximately 3km from Lancaster City Centre. The site is triangular - around 240m in length from north to south, 60m in width at the north end and tapering to a point at the southern end. The site is located within designated Countryside Area. Under the saved Local Plan the site is allocated for business use and adjoins land to the east (opposite the A6) that is allocated for the Bailrigg Science Park (now known as the Health Innovation Campus).
- 1.2 The site remains vacant and has done so now for some considerable length of time. It was occupied by a former water filter house, which has since been demolished. The only building now on the site is an electricity substation which dates from the 1960s. The site has suffered from quite extensive vandalism and graffiti over recent years.
- 1.3 The application site is tightly positioned between the A6 to the east of the site, which is a busy strategic vehicular access corridor into and out of the city, and the West Coast railway line to the west side. It therefore occupies a very prominent position at the southern gateway to the city. Beyond these access corridors the site is surrounded by open countryside, predominately used for agricultural purposes. Burrow Beck runs along the northern boundary of the site and is identified as

a Biological Heritage Site. It also forms part of the Urban Greenspace designation which creates a natural edge to the boundaries of the urban area of Lancaster.

- 1.4 Vehicular access to the site is directly from the A6 into an area of hardstanding previously used for servicing and car parking. There is a pedestrian footway on the opposite (east) side of the A6 but no pedestrian crossing, although there is a pedestrian refuge at the centre of the carriageway. The northbound bus stop adjoins the site at its southern end whilst the southbound stop is opposite the northern part of the site. The closest strategic cycle network is to the east of the A6 near the settlement of Bailrigg. This cycle path links the residential areas of South Lancaster to the University.

2.0 The Proposal

- 2.1 The approved development consists of two purpose-built accommodation blocks for students. The first of which is a 4 storey building which measures 14 metres in height at its highest point and would be 107 metres in length by 11 metres wide. The proposed materials consist of un-coursed stone facing to the ground floor, with darkened larch along the A6 frontage and native larch cladding within the inner courtyard elevation. The roof material would consist of a membrane in a lead effect finish with standing seams. The amendment proposes to increase the height of the building by about 1 metre to allow appropriate floor to ceiling heights. There are also some minor changes to the façade through the introduction of four additional saw tooth projections, though the footprint of the development follows the consented scheme.
- 2.2 Block B is located north of the existing substation on the site, and would be 30 metres in length, 8 metres in width and a maximum of 14 metres in height. Materials would include a mix of native larch cladding and un-coursed stone to the lower ground floor. The proposed amendment sees this block of accommodation increase in height from 14 metres to 15 metres, and there would be some minor changes associated with windows. The footprint of the development follows the consented scheme.
- 2.3 Another aspect of the proposal is to amend the cluster flat arrangement to 12 7-bed cluster flats and 14 6-bed cluster flats (the previous scheme was all 6 bedroom clusters).

3.0 Site History

- 3.1 The site has been the subject of a number of planning applications over the last twenty years, though the one of most note is the approved scheme which was granted in February 2017 (16/00847/FUL).

Application Number	Proposal	Decision
16/00847/FUL	Erection of two 4-storey student accommodation buildings comprising of 28 6-bed cluster flats (C4) with associated car parking and bin and cycle stores	Approved
15/00135/FUL	Demolition of existing buildings	Approved
13/00321/OUT	Demolition of former car showroom and erection of a food store (use class A1) and construction of a new access, servicing and parking areas	Refused and appeal withdrawn.
09/01102/CU	Resubmission of application 09/00859/CU for change of use from car showroom to A1 non-food bulky goods retail	Refused and dismissed at appeal.
09/00859/CU	Change of use from car showroom to A1 Non-food bulky goods retail	Withdrawn
99/01191/CU	Change of use to two units for the sale of cars/motor vehicles including works for parking, access and landscaping	Approved subject to the provision of a right turn lane and all other accesses to be closed.
99/00690/CU	Change of use to specialist car sales/servicing and carpet storage	Refused on highway grounds and landscaping.
98/00075/CU	Engineering/demolition works, incidental to the existing use of the land including altering land levels and resurfacing to facilitate temporary use of the site for storage purposes	Approved

98/00593/CU	Change of use to class B1 (Business/Light Industrial Use). Retention of new access and car parking.	Approved
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4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection - the proposed amendments to the original application have no highway implications
Parish Council	No observations received within the statutory timescales
National Grid	No observations received within the statutory timescales
Environment Agency	No objection
Lead Local Flood Authority	No observations received within the statutory timescales
Environmental Health	No observations received within the statutory timescales
Lancaster University	No observations received within the statutory timescales
Network Rail	No observations received within the statutory timescales
Fire Safety Officer	No objection

5.0 Neighbour Representations

5.1 To date there have been no representations received in response to the scheme.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

Paragraph 12 and 14 – Presumption in favour of Sustainable Development
Paragraph 17 – Core Principles
Paragraphs 56, 58, 61, 64 – Good Design
Paragraph 69 – Promoting healthy communities

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)

SC1 – Sustainable Development
SC5 – Quality in Design

6.4 Lancaster Local Plan (saved policies)

E4 – Countryside Area
EC1 – Lancaster Science Park
E29 – Urban Greenspace

6.5 Development Management DPD

DM35 – Key Design Principles
DM46 – Accommodation for Students
Appendix D – Purpose Built and Converted Shared Accommodation
Appendix F – Studio Accommodation

6.6 Strategic Policies and Land Allocations DPD

SG2 – Lancaster Health Innovation Campus

7.0 Comment and Analysis

7.1 The application is made under Section 73 of the Town and Country Planning Act, and (if approved) the effect is the issue of a new planning permission, which sits alongside the original permission, which unless revoked remains intact and un-amended. A new decision notice should be issued which sets out all of the conditions related to it and it should repeat the relevant conditions from the original planning permission unless they have been discharged. As a Section 73 application cannot be used to vary the time limit for implementation, this condition must remain unchanged from the original permission.

7.2 Planning consent was granted in 2017 for two blocks of student accommodation to provide 168 bedrooms. Block A provided 4 clusters of 6 bedrooms totalling 24 bedrooms while Block B had 24 clusters totalling 144 bedrooms. Overall the total number of bedrooms was 168. The scheme before members essentially retains the 168 bedrooms but proposes amendments to the number of cluster flats to twelve clusters of 7 bedroom cluster flats and 14 clusters of 6 bedroom flats.

7.3 As part of this proposal the scheme proposes to accommodate laundry and associated office space, communal study space, games room, TV room/cinema, gymnasium, landlord's office, maintenance store and plant room. In order to comply with building regulations and provide a zone for services, the floor to ceiling heights need to be increased to 3 metres across all floors, and this has been incorporated into the revisions. To account for this there has been an increase in height of both buildings by 1 metre. Heights of buildings were a concern for Officers and Members when the scheme was last presented to Planning Committee, but given the minor amendment, it is considered that a robust argument could not be presented at appeal to substantiate a refusal on this basis alone, on the understanding that site levels do not exceed that within the sub-station.

7.4 There was some significant discussion between the former applicant and their agent with respect to the design of the development and whilst a very similar design is offered, the introduction of further saw tooth projections along Block A, does intensify the appearance of the Scotforth Road elevation. Whilst accepting that design is subjective, Officers consider that the design of the original scheme was preferable. One element of concern is the southern façade of Block A which Officers negotiated as part of the original application to ensure it had some animation to it. Regrettably it now appears quite stark and lacks the creativity that embodied it as part of the approved scheme. The applicant has been made aware of this concern and amended plans are now awaited (the agent advising that

these will be forthcoming). Subject to the receipt of amended plans to address this matter, the scheme is considered acceptable.

- 7.5 Policy DM46 of the DM DPD and the associated Appendix D is quite clear that each unit of student accommodation shall not normally comprise of more than six bedrooms. The consented scheme adhered to this requirement but the scheme before Members seeks now to amend this to provide for twelve 7 bedroom cluster flats and fourteen 6 bedroom cluster flats. Whilst the scheme departs from the policy provision, the majority of the clusters would be 6 bedroom but critically the scheme now proposes the games room, cinema, gymnasium and communal study space. Officers did have concerns on the extant consent that the scheme lacked provision as communal facilities, so overall the revised scheme is deemed acceptable.
- 7.6 The adopted standard is for all bedrooms to have a minimum of 11 square metres with an en-suite, or 9 square metres without an en-suite. Room sizes vary between 13 and 15 square metres (including the en-suite) and therefore are significantly larger than the adopted position and living accommodation (to include kitchen and dining) amounts to 4 square metres per student (previously it was in the region of 8 square metres). Whilst there is a significant reduction in shared space, from the plans submitted in support of the scheme, the kitchen/living areas can all accommodate cooking facilities, dining table and chairs plus sofas and circulation space. The kitchen/dining is considered to represent a weakness of the scheme but given the room sizes and the commitment to provide communal entertainment spaces, the scheme on balance can be found acceptable.
- 7.7 It is recommended that all the planning conditions associated with the extant consent are applied on this consent. No formal application has been made to discharge the planning conditions associated with the scheme. No new conditions are proposed, but conditions 1 and 2 will need to be varied to ensure that the development is implemented within the three years from the original grant of consent (i.e. by 12 February 2020), and the list of approved plans reflect the amendments to the elevation treatments and internal spaces.
- 7.8 Concern was raised with regard to the previous application with respect to distance to the National Grid overhead power lines. This relates to Block B though no objection was raised previously in this regard and it is considered that the minimal increase in height will not cause any concern. Any comments received from National Grid will be reported verbally to Planning Committee.

8.0 Planning Obligations

- 8.1 There are no planning obligations to consider as part of this proposal.

9.0 Conclusions

- 9.1 The Filter House site has been in a poor condition for too long, and the proposed amendments are such that room sizes would all exceed the required minimum standards and whilst the kitchen/dining spaces have been reduced, the provision of communal rooms would supplement these shared spaces, and therefore the scheme can be supported. The amendments to the façade treatment is relatively minor and amended plans have been sought to address Officers' concerns. On balance, it is considered that the scheme can be recommended for approval subject to the conditions as noted below and receipt of amended plans.

Recommendation

That, subject to receipt of amended plans addressing Officers' design concerns, Planning Permission **BE GRANTED** subject to the following conditions:

1. Timescales (amend so that development has to be implemented by 12 February 2020)
2. Approved Plans (amend to reflect updated floor plans and elevations)
3. Ecological Mitigation
4. Submission of finished floor levels
5. Access Details
6. Offsite Highway Works
7. Car Parking in accordance with approved details including submission of a car parking management plan
8. Access to the south of the site to be permanently stopped up

9. Cycle Facilities
10. Contaminated Land
11. Foul Drainage
12. Surface Water Drainage
13. Landscaping (Hard and soft landscaping)
14. Building Materials (Accommodation blocks, refuse, motorcycle, cycle and refuse stores, fencing and gates and acoustic fencing)
15. Noise Mitigation
16. Ventilation
17. Student Accommodation Only
18. Security Measures
19. Electric Vehicle Charging Points

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