

Agenda Item A10	Committee Date 10 January 2011	Application Number 10/01016/FUL
Application Site Victoria Court Penny Street Lancaster Lancashire	Proposal Redevelopment of existing commercial premises to provide 96 student study bedrooms to upper floors, retail space (A1 use) to the ground floor, external landscaped areas and a remodelled Penny Street elevation	
Name of Applicant City Block	Name of Agent Mr Steve Vant	
Decision Target Date 30 December 2010	Reason For Delay Rise in application numbers	
Case Officer	Mr Andrew Drummond	
Departure		
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

- 1.1 The application site, known as Victoria Court, is located at the south end of Lancaster's city centre, north of Alexandra Hall and the Penny Street bridge over the Lancaster Canal. The small site has 2 public frontages - Penny Street to the west and Thurnham Street to the east - though the difference in scale between the two would suggest that Penny Street represents the main access point to the building.
- 1.2 In the immediate vicinity of the site there are a mix of buildings and uses, including 3 Listed buildings (Alexandra Hall, Penny Street Bridge Hotel, Thurnham House), Squires Snooker and Pool Club, City Block, The Vine public house, the residential units in Thurnham Mews and Kwik-Fit.
- 1.3 The site spans a small area at the southern end of the city's gyratory system (which forms part of the A6), with the Penny Street frontage visible to those entering the city centre and the Thurnham Street frontage clearly viewable to those leaving.
- 1.4 The site falls within the City Centre Conservation Area as allocated by the Lancaster District Local Plan. The Penny Street frontage is designated as a Key Townscape Feature, and Penny Street itself forms part of the District's Strategic Cycle Network. The site abuts, but falls outside, the defined city centre shopping boundary.

2.0 The Proposal

- 2.1 The application seeks planning permission to remodel the ground floor retail space and to provide 96 student study bedrooms with communal living areas to the 4 upper floors. The proposal includes revised detailing to the Penny Street elevation and 2 small external landscaped areas. The existing building would be demolished, with the exception of the Penny Street façade, and a new build inserted behind the retained elevation.
- 2.2 The retail space would face onto Penny Street, with access all focused on this street. In contrast,

the student accommodation can be accessed from Penny Street and Thurnham Street with a route created through the site. 5 townhouses (4 with 6 study bedrooms and 1 with 9 study bedrooms) are accessed from the internal route through the site. There are a further 53 study bedrooms above the retail space on the western side of the site, 4 of which would be accessible study bedrooms. In addition, there would be 10 studio type rooms on the fourth floor, each equipped with kitchen/diner.

- 2.3 The retained 3 storey sandstone façade on Penny Street would lose its existing windows. The openings would be filled with stone panels, slightly darker in tone than the existing stone, which would be handtooled with a diagonal, furrowed pattern to create a 'ghost' of the previous fenestration. Above the existing façade, the building would almost double in height, with the Penny Street elevation being treated with a smooth stone laid vertically; a contrast to the existing ashlar sandstone. New, rectangular oriel windows would be punched through the new and existing stonework. These would have a 10mm thick, gold powder coated mild steel sleeve, projecting between 0-250mm from the Penny Street façade. At ground floor level, the pillars to the central archway would be retained with 3 glazed sections installed - one between the archways and one on either side. The flat roof would be covered with a single ply membrane behind parapet walls.
- 2.4 To the rear of the site, the Thurnham Street elevation seeks to utilise the existing north boundary stone wall, continuing it upwards over 4 floors using a rainscreen material. Once clear of the wall, a Trespa high pressure laminate rainscreen with a gold metallic finish is proposed. Routes would be placed in the rainscreen to allow light through the material - artificial light out at night and daylight in during the day. A small glazed entrance feature is also proposed to Thurnham Street, creating a secure entry point.
- 2.5 No on-site or on-street car parking is proposed as part of this scheme. An existing loading bay on Penny Street, immediately in front of the property, would serve the retail space. 11 cycle parking spaces are provided just inside the Penny Street entrance. Beyond this, a small courtyard is proposed with a bin store accessed from this outdoor space. A further courtyard is proposed in the central part of the site - a communal area for students.

3.0 Site History

- 3.1 Victoria Court was originally constructed as a car garage around 1930. It continued in use as a garage until 1989 when it was converted into 20,300 sq.ft of office and retail space. The 10 office suites and 3 retail units were initially let until about 5 years ago, but now the majority of the units lay empty. Despite some refurbishment in 2004, 2005 and 2009, the office space remains largely vacant (only 2 office units are occupied). The 3 retail units all have split levels with limited or no level access, and therefore do not meet modern retailers' needs.
- 3.2 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
10/00362/CON	Conservation area consent for part demolition and rebuild of existing building including refurbishment and conversion of upper floors to provide 96 student study bedrooms, refurbishment of ground floor commercial unit (A1 use class) and associated landscaping	Pending
10/00317/FUL	Part demolition and rebuild of existing building including refurbishment and conversion of upper floors to provide 96 student study bedrooms, refurbishment of ground floor commercial unit (A1 use class) and associated landscaping	Withdrawn

4.0 Consultation Responses

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

Consultee	Response
English Heritage	English Heritage supports the footprint, scale, height and massing of the proposed new development. The development will preserve the character and appearance of the Conservation Area. Any outstanding matters relating to the selection of materials/finishes, signage/lighting and/or important aspects of the detailed design can be adequately controlled by applying suitable conditions. They therefore defer to the expertise of Local Planning Authority's conservation staff in relation to the aspects of detail design.
Ancient Monument Society	This remains an extraordinary, quirky scheme. Whilst the Society notes English Heritage's acceptance of the footprint, scale, height and massing (though they defer elevational details to the Local Planning Authority), they still feel that the new elevational treatment is very eccentric and find the proposals hard to read as a whole.
County Highways	No comments received within the statutory consultation period.
United Utilities	No objection to the proposal provided that the following conditions are met: Water pressures in the area are known to be generally low and therefore they recommend that the applicant provides water storage of 24 hours capacity to guarantee an adequate and constant supply. In accordance with PPS25, surface water should not be allowed to discharge to foul/combined sewers. To assist in achieving the permissible surface water discharge, sustainable systems should be used.
Police	Overall advice is that the applicant should undertake to achieve the 'Secured by Design' Award (SBD) for this development. Consideration should be had to lighting, CCTV and access arrangements.
Fire & Rescue	The scheme must fully meet the requirements of part B5 of the Building Regulations.
County Ecology	The Bat Inspection report states that there was no evidence of use by bats and considers the building has low potential significance for roosting bats. However, the building does offer some bat roosting potential and, as bats are mobile species, the report (sections 4.5 & 4.6) recommends precautionary measures are implemented. Habitats on the site, including existing buildings, have the potential to support nesting birds. It needs to be ensured that detrimental impacts on breeding birds are avoided.
North Lancashire Bat Group	The Group accepts the findings of the Bat Inspection report and would like to see planning conditions used to ensure that the precautionary approach to bats is adhered to.
Environmental Health	The air quality assessment has identified a slight adverse impact on the development from a slight exceedence of the annual mean objective for NO ₂ at the façade of the student apartment closest to Thurnham Street. Given the location of the window on the side façade and the temporary nature of the occupancy it is not thought proportional in this instance to insist on the installation of mechanical ventilation. Environmental Health, therefore, has no objections on air quality or other grounds provided the following conditions are applied: <ol style="list-style-type: none"> 1. 4 standard contaminated land conditions 2. Dust control 3. Noise assessment 4. Pile driving 5. Ventilation 6. Odour control - cooking and food 7. Hours of construction (Mon to Fri 0800-1800 and Sat 0800-1400 only) 8. Ground floor commercial units not to be used for any hot food takeaway use (in order to protect the amenity of the accommodation above)
Senior Conservation Officer	After careful consideration the Officer supports the proposed façade retention and re-modelling together with the new additional floors that raises the height of the building

	<p>quite significantly. The use of a natural stone for this raised façade is appropriate. Great care has been taken regarding the architectural detailing of the new openings and their surround treatment. The treatment of the new shop frontages at ground floor level is acceptable and the retention of the arched opening is an essential and enhancing feature of the building. The recreation of the oriel style window in natural stone reflecting the historic glazing pattern will need some carefully considered detailing. Conditions should ensure first class architectural detailing and the use of high quality materials for this development.</p> <p>This development is a significant intervention in the City Conservation Area. The support of both Places Matters and English Heritage indicates that this development can make a positive contribution to this part of the City. Strict adherence to high quality materials and detailing covered by conditions is essential.</p>
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5.0 Neighbour Representations

5.1 1 letter of correspondence has been received objecting to the proposal for the following reasons:

- Out of character with the existing architecture, especially the proposed flat roof

The neighbouring business Kwik-Fit has objected on the following grounds:

- The proposed development would have an adverse impact on the adjoining Motorist Centre, not only during the construction phase, but also as a result of substantial loss of light to the site. The latter would also prejudice the development potential of the site.
- The proposed development of residential units would be incompatible with a Motorist Centre (B2 use). Notwithstanding the limited openings in the party wall elevation, occupants may suffer some disturbance leading to complaints about the business's legitimate operations. If the Council were minded to approve the scheme appropriate sound proofing/insulation would need to be installed.
- In addition the proposed building by virtue of its scale, design and materials would be out of scale and character in this location and seriously injurious to visual amenity.

One further letter has been received from a local resident voicing the following concerns:

- The proposal does not seek to take into consideration the development potential of the wider area, including the buildings on either side (Kwik-Fit and Thurnham Mews).
- No details on how the back wall of Thurnham Mews will be treated, or how the drainage from the roof will be handled

6.0 Principal Development Plan Policies

6.1 National Planning Policy Statements (PPS) and Guidance notes (PPG)

PPS1 (Delivering Sustainable Development) - provides generic advice for all new built development. Sites should be capable of optimising the full site boundary and should deliver an appropriate mix of uses, green and other public spaces, safe and accessible environments and visually pleasing architecture. The prudent use of natural resources and assets, and the encouragement of sustainable modes of transport are important components of this advice. This advice is echoed in PPG 13 - Transport. A high level of protection should be given to most valued townscapes and landscapes, wildlife habitats and natural resources, conserving and enhancing wildlife species and habitats and the promotion of biodiversity.

PPS 4 (Planning for Sustainable Economic Growth) - All planning applications for economic development should be assessed against the following impact considerations:

- whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change;
- the accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured;

- whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions;
- the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives; and
- the impact on local employment

In terms of retail development, the emphasis is on the protection of existing town and local centres. The proposal should not have an adverse impact on town centre vitality and viability, including local consumer choice and the range and quality of the comparison and convenience retail offer.

PPS5 (Planning for the Historic Environment) - has superseded PPG15 and PPG16. The Government's overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations. In order to deliver sustainable development, PPS5 states that policies and decisions concerning the historic environment should:

- Recognise that heritage assets are a non-renewable resource
- Take account of the wider social, cultural, economic and environmental benefits of heritage conservation
- Recognise that intelligently managed change may sometimes be necessary if heritage assets are to be maintained in the long term.

PPG13 (Transport) - New development should help to create places that connect with each other sustainably, providing the right conditions to encourage walking, cycling and the use of public transport. People should come before traffic. Places that work well are designed to be used safely and securely by all in the community. The planning system has a substantial influence on the safety of pedestrians, cyclists and occupants of vehicles through the design and layout of footpaths, cycleways and roads. Planning can also influence road safety through its control of new development. When thinking about new development, and in adapting existing development, the needs and safety of all in the community should be considered from the outset.

6.2 Regional Spatial Strategy (adopted September 2008)

Policy **DP2** (Promote Sustainable Communities) - fostering sustainable relationships between homes, workplaces and other concentrations of regularly used services and facilities, improving the built and natural environment, conserving the region's heritage, promoting community safety and security including flood risk, reviving local economies especially in areas in need of regeneration and housing restructuring such as Morecambe, promoting physical exercise through opportunities for sport and formal / informal recreation, walking and cycling.

Policy **DP4** (Make Best Use of Existing Resources and Infrastructure) - development should accord with the following sequential approach: first, using existing buildings (including conversion) within settlements, and previously developed land within settlements.

Policy **DP5** (Reduce the Need to Travel, Increase Accessibility) - development should be located so as to reduce the need to travel, especially by car, and to enable people as far as possible to meet their needs locally. All new development should be genuinely accessible by public transport, walking and cycling, and priority will be given to locations where such access is already available.

Policy **DP7** (Promote Environmental Quality) - understanding and respecting the character and distinctiveness of places and landscapes, the protection and enhancement of the historic environment, promoting good quality design in new development and ensuring that development respects its setting, reclaiming derelict land and remediating contaminated land and use land resources efficiently, maximising opportunities for the regeneration of derelict or dilapidated areas, promoting green infrastructure and the greening of towns and cities.

Policy **W5** (Retail development) - promote retail investment where it assists in the regeneration and economic growth of the town and city centres. In considering proposals and schemes any investment made should be consistent with the scale and function of the centre, should not undermine the vitality and viability of any other centre or result in the creation of unsustainable shopping patterns.

Policy **RT2** (Managing Travel Demand) - measures to discourage car use (including the

incorporation of maximum parking standards) should consider improvements to and promotion of public transport, walking and cycling. Major new developments should be located where there is good access to public transport backed by effective provision for pedestrians and cyclists to minimise the need to travel by private car.

Policy **RT9** (Walking and Cycling) - encourage the delivery of integrated networks of continuous, attractive and safe routes for walking and cycling to widen accessibility and capitalise on their potential environmental, social and health benefits.

Policy **EM1** (Integrated Land Management) - support conservation-led regeneration in areas rich in historic interest.

Policy **EM16** (Energy Conservation & Efficiency) - ensure that the developer's approach to energy is based on minimising consumption and demand, promoting maximum efficiency and minimum waste in all aspects of development and energy consumption.

Policy **EM18** (Decentralised Energy Supply) - new non residential developments above a threshold of 1,000m² and all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources.

6.3 Lancaster District Local Plan (adopted April 2004)

Policy **T24** (Cycling Strategy) - development that would prejudice the implementation of any section of the cycle network will only be permitted where an acceptable alternative route has been provided

Policies **T26** and **T27** (Footpaths and Cycleways) - requirements to include cycle and pedestrian links for new schemes.

Policy **R21** (Access for People with Disabilities) - requires disabled access provision.

Policy **S1** (Retail Hierarchy) - new shopping development, other than small local shops, will be permitted only within the identified District centres. Development will only be permitted that is appropriate to the size and function of the centre concerned.

Policy **E35** (Conservation Areas and their Surroundings) - development proposals that would adversely affect important views into and across a Conservation Area or lead to an unacceptable erosion of its historic form and layout, open spaces and townscape will not be permitted.

Policy **E37** (Demolition) - total or substantial demolition of an unlisted building will only be permitted where it does not make a positive contribution to the architectural or historic interest of a Conservation Area. Proposals to demolish any building within a Conservation Area will only be approved where detailed planning permission has been given for a scheme of redevelopment which would preserve and enhance the Conservation Area, including effective guarantees of early completion.

Policy **E38** (New Building in Conservation Areas) - development proposals within Conservation Areas will only be permitted where these reflect the scale and style of surrounding buildings and use complimentary materials.

6.4 Lancaster District Core Strategy (adopted July 2008)

Policy **SC1** (Sustainable Development) - development should be located in an area where it is convenient to walk, cycle or travel by public transport between homes, workplaces, shops and other facilities, must not result in unacceptable flood risk or drainage problems, does not have a significant adverse impact on a site of nature conservation or archaeological importance, uses energy efficient design and construction practices, incorporates renewable energy technologies, creates publicly accessible open space, and is compatible with the character of the surrounding landscape.

Policy **SC5** (Achieving Quality in Design) - new development must reflect and enhance the positive characteristics of its surroundings, creating landmark buildings of genuine and lasting architectural

merit.

Policy **ER4** (Town Centres and Shopping) - to maintain the vitality and viability of its town centres, provide services as locally as possible and minimise the need to shop by car.

Policy **ER5** (New Retail Development) - new comparison retailing will be focused on Lancaster or central Morecambe. New local food retailing to be provided in town or local centres, or at an appropriate scale in sustainable locations in areas of deficiency.

Policy **ER7** (Renewable Energy) - to maximise the proportion of energy generated in the District from renewable sources where compatible with other sustainability objectives, including the use of energy efficient design, materials and construction methods.

Policy **E1** (Environmental Capital) - development should protect and enhance Listed buildings and conservation areas.

Policy **E2** (Transportation Measures) - this policy seeks to reduce the need to travel by car whilst improving walking and cycling networks and providing better public transport services.

7.0 **Comment and Analysis**

7.1 **Principle of Development - Appropriateness of the Proposed Uses**

The 2 uses proposed are both appropriate within a city centre location. Though the site falls just outside the defined shopping area, a retail use has been established in this location for over 20 years. It also benefits from the same footfall and servicing arrangement as its neighbour, which is within Lancaster's shopping zone. Remodelling the existing 3 retail units into 1 unit is acceptable, though there would be a loss in the overall amount of retail space (from 985 sq.m to 348 sq.m GIA). The remodelled space would be more usable, meeting modern retailers' needs and being more accessible to users with an 'at grade' access point and flat internal floorplate.

This is also a suitable location for student accommodation. Being situated in the city centre, students would be close to facilities, such as shops, restaurants, bars, public transport, library and such like. The premises would be less than a 10-minute walk to the University of Cumbria, and on a bus route to Lancaster University. The space has been designed following consultation with student bodies, and the scheme has the support of the 2 universities. However, the Council is mindful of the size of the premises given it would be essentially a building in multiple occupation. To protect the amenity of the area, a condition should be applied if planning permission is granted to restrict the occupancy of the study bedrooms and studios to full time students with accommodation leases arranged only through the Lancaster University or University of Cumbria, Head Lease Schemes or similar arrangements as may be agreed in writing by the Local Planning Authority

7.2 **Design and Conservation**

At present the Lancaster Conservation Area is being reviewed. As part of this process buildings have been assessed in terms of their significance (in line with Planning Policy Statement 5). Listed buildings are classed as having high significance as they have a national designation. Non-listed buildings are classed as having medium or medium/high significance and in this review buildings that make a contribution to the townscape are regarded as making a positive contribution to the character of the Conservation Area. In the case of Victoria Court the only significant elements are the façades to Penny Street and Thurnham Street. The remainder of the building has no significant features of architectural or historic interest. In other words, whilst Victoria Court is not Listed, it is classified as a non-designated heritage asset (as defined by Planning Policy Statement 5) and therefore there is a presumption to retain the building. As discussed in the report on the associated application for demolition (10/00362/CON) the most important element of the building, the Penny Street façade, is to be retained, albeit re-modelled.

Following the demolition, the replacement building will be a four storey structure, the eastern section of which would be clad in a metallic gold rainscreen. It is a bold intervention but one that the Council's Senior Conservation Officer is prepared to support. In addition there would be a single storey glazed screen and doors that encloses the internal street element and forms a secondary

entrance to the student accommodation from Thurnham Street. This is a significant change but a retained façade on Thurnham Street would not be compatible with this layout. Furthermore a retained façade would not work well with the relatively narrow four storey accommodation building.

English Heritage has responded to a consultation stating its support for the development in terms of its footprint, scale, height and massing. In their view, the development will preserve the character and appearance of the Conservation Area.

It is also worth noting the comments of Places Matter, an independent design panel for the north west. Their comments include the following supportive statements: "this is a sophisticated and clever scheme" and "this is an original and sympathetic scheme ... strengthening both Penny Street and Thurnham Street".

The proposed design contrasts starkly with the current property. The Penny Street frontage will be dominant on the streetscene, accentuated by its flat roof, though this is slightly softened by its curve, which follows the road's alignment. The modern intervention of 40 rectangular oriel windows and 3 large glazed sections at ground floor complete the transformation of this frontage, along with the 'stoning up' on the existing window openings. However, the scheme has been amended since the first submission, with the central bay retained at ground floor level. This alteration allows the building to be interpreted, and therefore appreciated, better. Nevertheless the more controversial aspect is the Thurnham Street section with its slimline structure clad in metallic gold rainscreen with only driven routes to break up its monolithic appearance. Whilst the approach is innovative and the massing is deemed appropriate by English Heritage, the detailing of this section of the development needs to be carefully considered given its prominence. Its southern elevation will glisten in the sun and will appear in sharp contrast to the matt stone and slate finishes in the vicinity. This will be particularly noticeable when approaching the city along South Road, though its northern and eastern elevations will also be prominent to those heading south along Thurnham Street. The impact of the driven routes through the rainscreen at night will be impressive with artificial light from the internal spaces streaming through the gaps. The concern relates to the material in the daytime, though as stated above, its use is approved in principle by the Senior Conservation Officer.

The success of this scheme clearly falls on the correct detailing; those aspects which English Heritage has requested that the Local Planning Authority's Conservation Team determine. Given the importance of the detailing, conditions are proposed to ensure that materials and architectural details are agreed with the Local Planning Authority prior to works commencing on site. This is an appropriate mechanism to ensure the visual appearance of the completed development is sympathetic to its surroundings, thereby meeting the requirements of national and local planning policies.

7.3 Accessibility, including parking and servicing

The retail premises would be accessed from Penny Street, whilst the student accommodation would have secure entry points from Penny Street and Thurnham Street. Neither use would benefit from on street or on site car parking, though the student accommodation would have 11 cycle parking spaces. This level of provision seems low given that there would be 96 study bedrooms/studios. However, there is an opportunity to use some of the courtyard space to provide further secure, covered cycle parking, and this should come forward as part of the overall scheme. The retail unit would be serviced from an existing loading bay on Penny Street, though to date County Highways has not commented on the application, so the suitability of this arrangement has not been confirmed. Nonetheless, there is an issue with drop-offs and pick-ups relating to the student accommodation. The existing Traffic Regulatory Order restricts cars from using the loading bay. Therefore drop-offs and pick-ups are limited to the car parking (metered) bays on Penny Street, otherwise they will cause a highway obstruction if they park elsewhere on Penny Street or Thurnham Street (where there is no waiting restriction). Further advice on this matter will be given verbally at Committee following receipt of County Highway's comments.

7.4 Energy Efficiency and Renewable Energy

The scheme has been designed to meet a BREEAM rating of 'very good'. In addition, it would incorporate Combined Heat and Power (CHP) power plant backed up with air source heat pump technology to contribute to hot water generation.

In terms of solar gain (as the Penny Street façade faces predominantly west), the glazing within the new oriel window frames is to be set back thereby allowing the frames themselves to provide the necessary shade.

7.5 Amenity

It is proposed that the development would achieve a high level of conformity with Disability Discrimination Act (DDA) standards, incorporating a passenger lift, accessible rooms designed for those who are mobility impaired, ramps with appropriate gradients, refuges on escape staircases, and wide doors, corridors, lobbies and staircases. Furthermore, security has been taken into consideration for all users of the student accommodation. Secure entry points both of Penny Street and Thurnham Street have been included, with the 2 internal courtyard spaces being designed and lit to eradicate 'blind spots'.

The outlook from the study bedrooms and studios has been carefully taken into account, with rooms facing either onto the internal courtyard or onto Penny Street.

An air quality assessment has identified a slight adverse impact on the development as the annual mean objective for NO₂ at the façade of the student apartment closest to Thurnham Street is slightly exceeded. Given the location of the window on the side façade and the temporary nature of the occupancy, it is not thought proportional in this instance to insist on the installation of mechanical ventilation (see Environmental Health's comments).

8.0 Planning Obligations

8.1 From most new developments in the City Centre, the Council is seeking to secure a commuted sum towards the Square Routes project. This is a scheme that promotes and enhances the City's public spaces. Whilst a financial contribution towards the project would normally be sought, the application has been submitted with a viability statement that demonstrates the close margins that the applicant is working to. As a result, it is Officers' opinion to forego a planning contribution in this instance, but rather focus the applicant's resources on the quality of the build to ensure that the end product does protect and enhance the Conservation Area and the setting of the nearby Listed buildings.

9.0 Conclusions

9.1 The proposal is innovative, though unusual, in its design approach. Whilst the proposal has drawn out different opinions, the scheme has received an approval in principle from key consultees, including English Heritage, Places Matter design panel and the Council's Senior Conservation Officer. Therefore, subject to securing the appropriate detailing, which can be agreed by way of conditions, the proposal is deemed acceptable and receives a positive recommendation from Officers.

Recommendation

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

1. Standard Planning Permission Timescale
2. Development to accord with plans - approved plans to be listed
3. At least 10% on site renewable energy generation
4. BREEAM standards - at least 'very good'
5. Notwithstanding plans, materials and finishes (including colour) to be agreed/samples required:
 - Natural stone for upper floors
 - Natural stone for window inserts
 - Mortar pointing
 - Bond for window inserts
 - New oriel windows and frames
 - Glazing to Penny Street frontage, including openings
 - Glazing to Thurnham Street entrance feature
 - Rainscreen

- Roof material
 - External surface materials - footways and courtyards
 - Rainwater goods
6. Replacement for existing oriel window - details required
 7. Stone cleaning methods
 8. Re-pointing - method of cutting out joints and mortar sample
 9. Roof edge trims at the head of external walls
 10. Refuse storage details
 11. CCTV
 12. Secured by design
 13. Bat mitigation measures
 14. Cycle parking - details required
 15. Provision of loading and unloading facilities
 16. Wheel cleaning facilities during demolition and construction
 17. Site management plan, including storage of materials and waste, site compound, staff welfare, access/egress of construction traffic, location of equipment
 18. Travel Plan - detail required
 19. Separate drainage system
 20. Sustainable drainage system
 21. Hours of construction (Mon to Fri 0800-1800 and Sat 0800-1400 only)
 22. Dust control
 23. Pile driving
 24. Noise assessment
 25. Odour control - cooking and food
 26. Standard contaminated land condition
 27. Contaminated land - importation of soil, materials and hardcore
 28. Contaminated land - prevention of new contamination
 29. Bunding of tanks
 30. Ventilation and extraction - location and details
 31. External lighting details
 32. Ground floor retail units - A1 use only
 33. Student accommodation - rooms only to be let to students in full term education with accommodation leases arranged only through the Lancaster University or University of Cumbria, Head Lease Schemes or similar arrangements as may be agreed in writing by the Local Planning Authority
 34. Any relevant conditions required by County Highways

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. English Heritage's comments
2. Places Matter's comments