

Agenda Item	A11
Application Number	22/00041/FUL
Proposal	Change of use of second floor offices (E) to 7 cluster apartments for student accommodation (Sui Generis) comprising of 1 7-bed, 3 8-bed, 2 9-bed and 1 11-bed and installation of louvers to all elevations
Application site	Furness College Tower Avenue Lancaster University Lancaster
Applicant	Mr Guy Constantine
Agent	Mr Alexandru Rusete
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval however delegation back to Head of Planning and Place to resolve outstanding matter regarding appropriate noise attenuation measures.

1.0 Application Site and Setting

- 1.1 The site that forms the subject of this application is the second floor, referred to as C floor, within the Furness College building on Lancaster University campus. Furness College is located centrally within the campus to the south of Alexandra Square. The subject building comprises of 4 floors featuring brick and rendered elevations with a central open courtyard in the centre of the main building block. There are secondary buildings projecting from the north and south elevations. Internally the building currently comprises of communal space and office space to the ground floor, office space to the first and second floor and residential accommodation to the third floor.
- 1.2 The site is surrounded by built form consisting of university facilities including uses such as shops, takeaways, bars, laundry facilities, the library and teaching facilities.

2.0 Proposal

- 2.1 This application seeks planning permission for the change of use of the second floor from its current use as office space to residential accommodation for students comprising of 7 cluster apartments falling within the Sui Generis use class. The cluster flats comprise of 1 7-bed, 3 8-bed, 2 9-bed and 1 11-bed flats. The proposal also includes the installation of 200mm x 300mm louvers to all elevations to serve the kitchen and bathroom facilities.

3.0 Site History

- 3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
11/00314/FUL	Refurbishment including window and door replacement, new lift shaft within the internal courtyard, erection of ground floor extension at entrance, creation of small retail unit at lower ground floor level, enlargement of existing stairwell at 3rd floor level and replacement of external render and roof finishes	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection raised though requested clarification regarding cycle storage
Environmental Health	No objection
Lead Local Flood Authority	No comments to provide
NHS	Contribution required towards new infrastructure at Lancaster Medical Practice amounting to £15328.00, without which they object
Planning Policy	No response received at the time of drafting this report, any comments will be shared verbally to members.
Lancaster Civic Society	No response received at the time of drafting this report any comments will be shared verbally to members.
Fire Safety Officer	No response received at the time of drafting this report any comments will be shared verbally to members.
Lancashire Constabulary	No response received at the time of drafting this report any comments will be shared verbally to members.
Natural England	No objection subject to a condition securing mitigation through a resident's information pack.

4.2 No responses have been received from members of the public.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of development
- Amenity and standard of accommodation
- Parking and cycles
- Refuse storage

5.2 **Principle of development** SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy. Development Management DPD Policies DM1: New Residential Development and Meeting Housing Needs, DM7: Purpose Built Accommodation for Students, DM13: Residential Conversions, DM14: Proposals Involving Employment and Premises. National Planning Policy Framework sections 2, 6, 8, 9, 11, 12 and 16.

5.2.1 The proposed development will result in the loss of the existing academic office space to the second floor of this building. The applicant sets out that the academic office accommodation is no longer required given the provision of new facilities on the recent Health Innovation Campus. Policy DM14 seeks to protect land and buildings that are in an active employment use, have a previous recent history of employment use, or still have an economic value worthy of retention. This application relates to a single floor within the subject building which is itself located within and functionally linked with Furness College and the wider university campus. DM14 seeks to protect such facilities in key areas such as city or local centres or on land allocated for such uses, as such it would not be

considered of relevance to this development. In addition to this, policy DM7 provides support to the provision of student accommodation on the University campus. On this basis, it is considered that the principle of the change of use of the existing academic office space to provide student accommodation to the second floor is acceptable.

5.2.2 The accommodation being provided comprises of cluster flats of various densities ranging from 7 bedrooms to 11 bedrooms with shared communal facilities such as kitchens and bathrooms. In effect each of the cluster flats would be defined as a House in Multiple Occupation (HMO) in planning terms. Whilst policy DM13 seeks to prevent the proliferation of HMO accommodation, this policy specifically seeks to protect housing mixes to safeguard the character of residential areas of the district, such as those closer to Lancaster. Given the application relates to an existing building within the centre of university campus, it is considered that the principle of providing HMO type accommodation in this location is appropriate.

5.3 **Amenity and standard of accommodation** Development Management DPD DM7: Purpose Built Accommodation for Students, DM29: Key design principles. National Planning Policy Framework section 12.

5.3.1 Policy DM7 and associated Appendix G sets out the standard of accommodation that must be achieved for each of the cluster flats. All rooms must be a minimum of 9m² in floor area, they must benefit from appropriate outlook and daylight and the floor plans must demonstrate the way in which furniture including beds, desks, wardrobes and drawers can be accommodated in each room. All the proposed private bedrooms meet these criteria.

5.3.2 With respect to communal facilities, Appendix G sets out that such facilities including kitchens and bathrooms should not serve more than 6 residents. In this case all flats exceed this recommended number of occupants. However, the kitchens including the facilities provided such as numbers of sinks, ovens, fridges and dining spaces as well as the number of toilets and shower rooms per flat are commensurate to the total number of occupants in each flat. For this reason, it is considered that the increased numbers of occupation can be supported in this instance. The accommodation would form part of the universities on campus accommodation portfolio and so would be appropriately managed by existing management regimes.

5.3.3 Outlook from the proposed bedrooms and shared communal facilities is acceptable overall. More than adequate separation distances are provided to the windows on the northern, eastern and southern elevations. Windows of the western elevation will face the adjacent library over the spine with a reduced separation of around 8.5 metres to the library elevation opposite. Whilst lower than the recommended 12 metres for windows facing blank elevations, given the layout of the accommodation is restricted by the form of the existing building this is considered to be acceptable. In addition to this, the windows which face into the inner courtyard of the Furness College building would experience a degree of mutual overlooking particularly in the corners, though this again is unavoidable given this is a conversion of an existing building. It is considered that the increased level of overlooking is an acceptable relationship in this instance.

5.3.4 The northern most rooms labelled C096, C094 and C091 located within the largest 11-bedroom flat are located close to a large extraction flue which is externally mounted to the northern elevation of the building. The flue is located immediately adjacent to the window serving bedroom C096 and mounted to its external wall. The operation of this extraction flue has the potential to result in harm to the standard of amenity that the occupants of the closest bedrooms can reasonably expect to enjoy. A noise assessment has been undertaken and this has established that attenuation to the flue itself will be required to ensure its operation does not harm amenity standards. The applicant has confirmed that attenuation will be possible and final details will be forthcoming. Subject to these details being provided and noise levels attenuated to an acceptable level the provision of student accommodation in these rooms is appropriate. It is considered appropriate to recommend the application be delegated back to the Head of Planning and Place for the final details of the attenuation requirements to be confirmed. A subsequent condition can be imposed to ensure the attenuation measures are installed prior to occupation of the accommodation.

5.4 **Parking and cycles** Development Management DPD DM29: Key design principles, DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision. National Planning Policy Framework sections 9 and 12.

5.4.1 The application site is located within the centre of the university campus and the proposal does not seek to provide any designated vehicle parking spaces for the proposed residential accommodation. Considering the site's location within the campus, vehicular parking is restricted and managed by the university itself which is an acceptable arrangement.

5.4.2 The proposal is required to provide commensurate covered and secure cycle storage facilities. A cycle shelter is indicated on the site plan as being provided on the pathway between the Library and Lancaster Environment Centre. This is to provide spaces for 20 cycles which is in accordance with Appendix E of the DM DPD. Locationally, the cycle shelter is 15 metres from the main entrance from Furness College onto the spine and so it is appropriately accessible for residents of the proposed accommodation. Given the existing cycle storage facilities within the courtyard/underpass of the Furness College building it is not possible to provide further cycle storage in these areas. The specific details of the cycle storage facility such as the design and appearance of the canopy have not been provided at this stage, this can be secured by condition.

5.5 **Refuse storage** Development Management DPD DM7: Purpose Built Accommodation for Students, DM29: Key design principles. National Planning Policy Framework section 12.

5.5.1 The proposal includes the provision of refuse storage within the existing service yard which is situated immediately to the south and east of the Furness College building. This service area already provides a refuse storage area as well as access to the restaurant and college laundry facilities in the adjacent building. There is sufficient capacity within the southern part of the service yard for additional bins to be provided to serve the increase in occupation within the building. The provision of the refuse storage can be secured by condition.

5.6 **Other material considerations**

5.6.1 **Ecology** – The application site lies within the median distance travelled of 3.454km (identified through the Recreational Disturbance Study for the Local Plan) to get to the European designated sites of Morecambe Bay, which is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC), Ramsar site and Site of Special Scientific Interest (SSSI). As a result of the proximity of the residential development to the sensitive site, a Habitats Regulations Assessment (HRA) is required to assess the recreational disturbance impacts on the coastal designated sites resulting from the development, the report is contained within a separate document. In consultation with Natural England, the provision of a resident's information pack would be required which can be secured by condition.

5.6.2 **Planning obligations** – A contribution of £15328.00 has been requested by the NHS to mitigate the effects in terms of the increase in residential occupation arising from the development. Specifically, the consultation response states the contribution required towards new infrastructure at Lancaster Medical Practice. However, the request fails to meet the required standard tests as precise details of the project to which the money will contribute has not been provided. Therefore, there is no justification to request the contribution. In line with the terms of the request the NHS raises an objection to the development in the absence of the contribution. However, this is not sufficient reason to justify refusal.

5.6.3 **Drainage** – The application relates to the change of use of an existing building, the proposal will not alter the sites existing drainage infrastructure, both surface water and foul drainage is directed to mains sewer systems.

5.6.4 **Sustainability** – The proposal relates to the change of use of an existing building and no changes are proposed to the fabric of the existing structure. The submitted Energy Statement sets out that the building is already connected to the University site wide district heating system and that this heating system has recently been subject to a review to optimise its operational efficiency.

6.0 Conclusion and Planning Balance

6.1 The proposal relates to the change of use of the second floor within the Furness College building from its present use as academic office space to further residential student accommodation

comprising of flats with shared facilities. There is already accommodation provided within this building to the third floor and the colleges own communal facilities are located on the ground floor. The academic office space has been relocated to the recently completed Health Innovation Campus meaning the space on the second floor of this building is no longer required. The change of use of residential accommodation to complement the colleges existing accommodation offer is considered to be acceptable. Matters relating to amenity have largely been resolved, subject to the specific noise attenuation measures being agreed. The proposed development is considered to be acceptable with regards to the other specified material considerations.

Recommendation

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

Condition no.	Description	Type
1	Time limit	Standard
2	Approved plans	Standard
3	Details and provision of noise attenuation measures	Prior to occupation
4	Details and provision of Homeowner packs and information boards	Prior to occupation
5	Details and provision of cycle storage	Prior to occupation
6	Provision of bin storage facilities	Prior to occupation

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

Lancaster City Council 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