

Agenda Item	A9
Application Number	22/01388/CU
Proposal	Change of use from dance studios to artists studios
Application site	Ludus Dance Assembly Rooms King Street Lancaster
Applicant	Dr Alan Morris
Agent	N/A
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval

(i) **Procedural Matters**

This form of development would normally be determined under the Council's Scheme of Delegation. However, the building is in the ownership of Lancaster City Council and, as such, the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The application site is located on the west side of King Street within the city centre of Lancaster. The two-storey building is constructed of sandstone with a slate roof. The building is Grade II listed and dates from 1759 with early and late nineteenth century alterations. It was originally constructed by the Trustees of the Penny's Hospital, which lies immediately to the north and is Grade II* listed. The purpose of the building was to raise money for the hospital through entertainment. The ground floor is currently used as an indoor vintage market with a small café. The first floor was, until September 2022, used as dance studios, which has a separate ground floor access to the front elevation. The site is situated within Lancaster Conservation Area.

2.0 Proposal

2.1 The proposal is seeking to change the use of the entrance hallway of the ground floor, the ground floor mezzanine and the first floor from dance studios to artist studios. The artist studios are to provide a collaborative visual arts hub for high quality, non-assessed teaching with the combination of the provision of professional art studios. The artist studios will provide a gallery, a classroom, a kiln room, an office, two artist studios and a darkroom. There are no alterations proposed internally or externally to facilitate the change of use that require planning consent.

3.0 Site History

3.1 Since 1982, the application site has been the subject of a number of applications including change of use, listed building and advertisement consent. The most recent applications are detailed below:

Application Number	Proposal	Decision
19/01103/LB	Listed building application for removal of external lighting from front elevation and replacement of a non-illuminated wall mounted sign and a non-illuminated hanging sign	Permitted
13/00295/LB	Listed Building Application for remedial works to part of ceiling, re-pointing of south facing gable wall and repair plaster cornice in dance hall	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No objection
Environmental Health	No comments received at the time of compiling this report.

4.2 No comments have received from members of the public.

5.0 Analysis

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

- Principle of Development
- Design and Heritage Matters

5.2 **Principle of Development** (NPPF Section 6: Economy, Section 7: Town Centres; Policies DM15: Small Business Generation, DM16: Town Centre Development, DM17: Retail Frontages, DM24: The Creation and Protection of Cultural Assets, DM56: Protection of Local Services and Community Facilities, SP9: Maintaining Strong and Vibrant Communities)

5.2.1 The Council will seek to protect existing cultural assets in the district that are considered to be of value to the local and/ or wider community as stated within Policy DM24 of the DPD. Furthermore, development proposals that propose new local services must be located within an accessible location that can be accessed by all members of the community in accordance with DM56 of the DM DPD.

5.2.2 The proposed change of use of the entrance hallway of the ground floor, the ground floor mezzanine and the first floor to artist studios is located within a central and accessible location within the city centre of Lancaster. The proposed artist studios will protect an existing cultural asset that has for years been utilised as a dance studio for the local and the wider community and is within an accessible location that can be accessed by all members of the community.

5.2.3 The site is located within the Lancaster City Centre boundary, as well as within a secondary frontage. The Council will only support proposals for other main town uses within a secondary frontage as set out within Policy DM17 of the DM DPD.

5.2.4 The criteria set out within Policy DM17 of the DM DPD, only applies to ground floor properties located within the secondary frontage of the Town Centre. The proposed change of use only applies to the upper floors of the property and therefore the secondary frontage criteria is not applicable in this instance. Similarly, the proposed application is to change the use of the upper floors from dance studios to and artist studio, both are classified as a use class sui generis and therefore there is not a loss of a town centre use.

- 5.2.5 The use seeks to support the wider continued use of the building and is considered to be appropriate, due to the location at first floor up. The proposal will enable the long-term viability of a cultural asset that also will help maintain the viability of the wider defined primary and secondary shopping areas.
- 5.3 **Design and Heritage Matters** (NPPF Section 16: Historic Environment and Section 12: Achieving Well Designed Places, Policies DM29: Key Design Principles, DM37: Development affecting Listed Buildings, DM38: Development affecting Conservation Areas, SP7: Maintaining Lancaster District's Unique Heritage)
- 5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or a Conservation Area or their setting, the local planning authority must pay special attention to the desirability or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by the relevant heritage policies in the Development Plan DPD.
- 5.3.2 There are no external or internal works to facilitate the proposed change of use of the uppers floors of the property. The proposal will not lead to a significant level of harm to the Conservation Area and/ or the Listed Building. Freestanding artist pods will be installed into the main studio room, however they are not to be attached to the walls and the floors will be protected with plywood or a lino for the duration of the use of the room, thereby protecting the listed building.
- 5.3.3 Overall, the proposal will not result in any harm to the Conservation Area and the Listed Building and the public benefit is considered to ensure that the change of use is acceptable with regards to the NPPF.
- 5.4 **Parking and Highways** (NPPF Section 9: Sustainable Transport, Policies DM60: Enhancing Accessibility and Transport Linkages, DM62: Vehicle Parking Provision)
- 5.4.1 The location of the site is considered to be highly accessible, located to the east of the one-way gyratory system that runs around Lancaster City Centre. Therefore, it is accessible by cars, a cycle lane runs past the site, as well as being in close proximity to various modes of public transport that include Lancaster Train Station and Lancaster Bus Station.
- 5.4.2 The submitted application is not proposing any off-street parking for the proposed change of use. The previous use of the upper floors as dance studios did not provide any off-street parking. Therefore it is considered that there is no loss of a provision of off street parking and given the site's sustainable location with good access to public transport, the proposed change of use of the upper floors of the property is acceptable from a highway's perspective.
- 6.0 Conclusion and Planning Balance**
- 6.1 Overall, planning policy seeks to support new cultural and community facilities within the district that are in accessible locations. The proposed change of use from a dance studio (use class sui generis) to an artist's studio (use class sui generis) does not involve the loss of a main town centre use, nor does the secondary frontage criteria set out within policy DM24 apply to the proposal, as it is only applicable to the ground floor of the properties within the City Centre boundary. There are no external or internal works that require planning consent proposed to facilitate the change of use of the upper floors of the property and, therefore, the proposal will not lead to any level of harm to the Conservation Area and the Listed Building. The change of use of the upper floors is not proposing any off-street parking, however the previous use did not provide any off-street parking, therefore there is not a loss. However, the site is located within a highly sustainable location with good access to public transport, therefore no concerns are raised from a highway perspective.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Standard 3 Year Timescale	Control

2	Development in accordance with approved plans	Control
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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