

Agenda Item	A8
Application Number	23/00571/FUL
Proposal	Change of use and conversion of existing pump house and erection of front and upwards extensions to create 35 studio apartments for students (C3 use) with associated communal areas
Application site	Part Of Former St Georges Works (Pump House) Abram Close Lancaster Lancashire
Applicant	Mr Nick Langford
Agent	Mrs Rachael Oldroyd
Case Officer	Mr Andrew Clement
Departure	No
Summary of Recommendation	Approval, subject to conditions and a legal agreement

1.0 Application Site and Setting

- 1.1 The application site relates to the Pump House, which is understood to be the last remaining historic building of the former St Georges Works complex located to the south of St George's Quay, Lancaster. The 19th century building comprises a tall single-storey building, externally utilitarian in design and plainly treated, being a simple brick shell with little ornamentation, and openings being simply round headed. Internally the walls are of more interest, being faced in white, black and brown glazed brickwork, incorporating various specially moulded bricks to form the arched heads to the openings and string courses to form the skirting, dado, inpost string course and a dentelated picture rail. Retained engine beds and internal features provide an understanding of internal arrangements and the use of the building. Links to Lord Ashton and the source of wealth means the Pump House is considered to be a locally important heritage asset, identified as a non-designated heritage asset, but that in 2016 failed an assessment for Listed Building status as the building was considered to be of local, rather than national, importance. The site is just beyond the Lancaster Centre Conservation Area, Character Area 1. The Quay, of national heritage importance, but within the setting of this area that extends to, but does not include, the railway line circa 75 metres to the east of the site.
- 1.2 The setting of the Pump House as part of the wider St Georges Works has significantly altered in the last 15 years, with 149 dwellinghouses constructed to the south and west, whilst to the north there is a 419-unit student accommodation and ground floor ancillary commercial uses within four buildings that are of three to six storeys in height (inclusive). Whilst the Pump House formed part of the latter consent, the approved conversion was never implemented, and the site remains unaltered and in a dilapidated condition. The application site and the surround developments described above are all within the Luneside East Development, a housing delivery allocation and wider regeneration priority area within the Local Plan. The site and wider area for the majority of Lancaster have an Article 4 restrictions on permitted development rights for conversions from dwellinghouses to HMO, requiring planning permission for such a change of use within this area.

- 1.3 To the north of the site lies the River Lune, an environmentally important Biological Heritage Site (BHS) and Marine Conservation Zone. As it opens up into the Lune Estuary approximately 2km downstream to the southwest, national and international protections and designations of the Site of Special Scientific Interest (SSSI), Morecambe Bay Special Protection Area (SPA), RAMSAR Site, Special Protection Area (SPA) and Special Area of Conservation (SAC) apply, with the site within the buffer impact zone of the SPA. The site lies within Flood Zone 3a, at high risk (1in100 year) of river flooding, but not within the function flood plain as there are flood defences along the River Lune. The site is within medium risk areas of groundwater flooding (the mitigation measures within the submitted FRA, combined with a condition for a Flood Emergency Procedure plan, will ensure the development will be safe for its lifetime), with low risk (1in1000 year) risk surface water flooding to immediately adjacent streets and proposed front extension and parking areas. There is a designated hard surfaced off-road cycle route along the north of St George's Quay, with a regular bus service between the railway station and Lancaster University stopping within approximately 75 metres of the application site.
- 1.4 To the east is the elevated railway line, with a parallel Tree Preservation Order - Number 531(2014) - to the immediate west of the railway line. To the east lies the Lancaster Centre Conservation Area and Quay Meadow designated open space. The site is within 1km walking/cycling distance of Lancaster Bus station, supermarkets and other services in Lancaster City Centre to the southeast. A smoke control area extends to the site. Lancaster Railway station is located circa 500 metres to the south, with the neighbouring residential developments bound to the south by a former railway line designated as public open space; a Tree Preservation Order - Number 531(2014) and Giant Axes sports pitch and designated open space are set just beyond. Lancaster Cricket Club is situated circa 400 metres west of the site, beyond this recently developed residential schemes and the remaining area of Lune Industrial Estate, with off-road cycle and walking routes southwest continuing to Glasson Dock.

2.0 Proposal

- 2.1 This application seeks planning permission to erect a single storey glazed front extension and standing seam black metal clad vertical extension above the existing Pump House walls to create a 4-storey student accommodation site containing 35 studio apartments with associated ground floor communal area, internal plant room, bin and bike store, and external fenced condenser compound. The proposal will use the existing ground floor arched head openings, installing two additional arched head openings to the east facing side elevation, with three flat head doors added for functional accesses to the rear south facing elevation. The semi-circular aspects of arched head external opening is to contain a black metal detail, with all window frames finished in bespoke black aluminium units, with black steel faced doors.
- 2.2 The proposed single storey front extension measures 3.75 metres high under a flat roof, with the duo-pitched gable end vertical extension to the Pump House rising the maximum height of the building by 1.5 metres to 13.5 metres tall, with a 10.5 metres tall eaves height measuring 3.5 metres above the existing eaves. The vertical extension roof pitch matches that of the retained gables, with the existing eaves visually retained through slight setback of the vertical extension behind the outer wall and the change of material to the proposed standing seam black cladding above the existing red brick.

3.0 Site History

3.1 The proposal was presented to, and resolved to be approved in November 2023 by, the Planning Regulatory Committee (the full report is appended). Under the scheme of public participation, it was proposed by Councillor Sarah Maddocks and seconded by Councillor Keith Budden:

“That the application be approved subject to the conditions in the Committee Report.”
Upon being put to the vote, 11 Councillors voted in favour of the proposal with none against and one abstentions, whereupon the Chair declared the proposal to have been carried.

Resolved:

That the application be approved subject to a Section 106 Legal Agreement to secure:

- £20,000 to the design, implementation and early maintenance of public open space to the north of St George's Quay;

and subject to the following conditions:

1. Time Limit (3 years).
2. Approved Plans.
3. Scheme for building recording and disseminating history.
4. Contamination report and remediation.
5. CEMP (including pollution control, noise and vibration mitigation, construction hours, vehicle movement, and protection of ecology).
6. Energy efficiency measures.
7. Employment Skills Plan.
8. Scheme for precise details of stairwell, door and tiles in this area.
9. Details and samples of external materials (including cladding, glazing, external doors, rainwater goods).
10. Ecological mitigation (including bat boxes and planting details).
11. Drainage connections.
12. Implement noise mitigation (including glazing, ventilation, fencing).
13. Precise details of the cycle store and trigger for full implementation.
14. Security measures.
15. Homeowner packs – HRA mitigation.
16. Travel plan mitigation (including use of parking for occupants and employees at Pump House and sustainable travel measures).
17. Waste storage and collection.
18. External lighting.
19. Single Occupation Student Occupation Only.

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
22/00737/PRE3	Pre application advice for a rooftop extension and conversion of existing pump house to 31 studio apartments	Advice provided
16/00574/FUL, 18/01543/VCN and 19/01057/NMA	Demolition of existing mill building, erection of 3 buildings comprising ground floor ancillary uses (Classes A1-A4, B1a, D1 and D2) and student accommodation above and 1 building of student accommodation, conversion of existing pump house to a mixed use communal facility (Classes A2, B1a and D1), and associated access, parking, servicing and landscaping / public realm works	Approved
13/01200/FUL and 14/01186/VCN	Erection of 149 dwellings with associated landscaping and car parking	Approved
12/00169/FUL	Erection of 8 three storey dwellings with associated landscaping, access and parking including the change of use of open space to form domestic gardens	Approved

11/00885/FUL	Phase 1 of Luneside East Masterplan including external works, car parking and all related demolition and remedial works	Approved
07/00775/FUL, 07/00776/CON, and 11/00881/CON	Demolition of 2 No. Industrial units and continuation of proposed landscaping of reserved matters application (07/00442) to tie in with link from Quay Meadow	Approved
07/00442/REM	Reserved Matters Application For Phase 1a Of Luneside East Masterplan: Buildings 5, 7, 8, 9, 12 and 14 only. 11,000 sq.m Office Space, Ground Floor Retail Space and Residential Flats, and Discharging of Condition Nos 2, 10, 12, 14, 17, 22, 24, and 30 on Application 01/01287/OUT in respect of Phase 1a	Approved
01/01287/OUT	Outline application for comprehensive mixed use development as an urban village comprising of up to 350 residential units and up to 8,000 square metres of business floor space and ancillary leisure uses and other support uses	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees. All responses were received prior to 26th October and are the same as reported to the preceding committee:

Consultee	Response
Conservation Team	Objection , current scheme results in the almost total loss of significance, which would normally be difficult to justify in terms of the public benefit unless it can be demonstrated that there is no viable alternative
Lancashire Archaeology	No objection , advise that the proposed mitigation of an information board including a QR code to further information regarding the history of the site should be secured by means of suitably worded planning condition.
Lancaster and District Heritage Group (LDHG)	Objection , loss of much needed potential communal/community space, and loss of industrial heritage. LDHG would strongly urge that this remaining part of the city's industrial heritage is kept as much as possible intact. Question the need for 35 additional apartments
Lancaster Civic Society	Concern at loss of significant features of the city's industrial heritage, particularly the interior worthy of preservation. Concern regarding need/desirability for student accommodation, concern regarding height of proposal. Request full pre-intervention survey and external plaque detailing historic importance.
County Highways	No observation received
Environmental Health	Given the pumphouse building was in-situ throughout, it is understood that no remediation work was done on this site, so further investigation and remediation required.
Lead Local Flood Authority	No objection
Environment Agency	No objection
United Utilities	No adverse comment, subject to a detailed drainage design controlled through pre-commencement condition.
Engineering Team	No observation received
Lancashire Constabulary	No objection , advice regarding secure by design principles
Fire Safety Officer	No objection , advice regarding fire vehicle access and water provision
Waste And Recycling	No observation received
Planning Policy	No observation received
Strategic Housing	No observation received

Public Realm	No objection , subject to proportionate contributions to open space
LUSU Housing	No observation received
Lancaster University	No observation received
University of Cumbria	No observation received

4.2 All responses below were received prior to 26th October and are the same as reported to the preceding committee:

19 objections have been received from members of the public, raising the following concerns reasons for objection:-

- Car parking, access and traffic, undersupply within the proposal, exacerbate existing issues
- Adverse impact upon access and residential amenity and vehicle movements during construction
- Overlooking the garden and dwellinghouse to the west, loss of privacy
- Overbearing height of development in relation to adjacent dwellinghouses
- Overshadowing adjacent dwellinghouses through increased height
- Incongruent design
- Heritage impact
- Adverse noise impacts in residential area, and deficiencies in submitted noise report
- Arrangements for bins and waste storage and collection, resultant litter, odour and vermin
- Impact on water supply and pressure
- Existing drainage already at capacity, exacerbated by the proposal
- Ground floor commercial units from adjacent student accommodation scheme remain vacant, and building itself was originally approved for commercial/community use
- Decrease house values
- No need for additional student accommodation

2 supportive due to complimenting existing adjacent well occupied student accommodation, and renovating a vandalised eyesore, ensuring the buildings retention and conversion. Concern about parking and vehicle movements also raised.

5.0 Analysis

5.1 The key material planning considerations have been addressed within the Committee report of November 2023 (appended). However, given recent legal advice received by the Local Planning Authority, an updated position on flood risk is put forward for consideration. The main issue is:

- Flood risk, sequential and exceptions test

5.2 **Flood risk and drainage** Development Management (DM) DPD policies DM7 (Purpose Built Accommodation for Students), DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Waste Water), DM36 (Protecting Water Resources and Infrastructure), DM57 (Health and Wellbeing), and the Flood Risk Sequential Test and Exception Test Planning Advisory Note 6, Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment), EC5 (Regeneration Priority Areas) and H1 (Residential Development in Urban Areas); National Planning Policy Framework (NPPF) Section 14. (Meeting the challenge of climate change, flooding and coastal change) and PAN06 (Flood Risk Sequential Test and Exception Test)

5.2.1 The site falls within Flood Zone 3, which is defined as having a high probability of flooding, during more frequent events than 1in100 years from the river, and/or 1in200 year tidal flooding events. The site is not within the functional flood plain, it is not designed to flood, and is protected by flood defences with crest levels of the defences at the site set at 8.29m above Ordnance Datum. New development in areas vulnerable to flood risk are required to meet the Sequential and Exception Tests as appropriate, and provide site-specific Flood Risk Assessments (FRA) to demonstrate the site is not at risk of flooding and would not increase the risk of flooding elsewhere.

- 5.2.2 The site is covered by a wider a housing allocation, and flood risk and alternative sites were assessed during the plan making and land allocations process.

As such, in accordance with national planning policy, there is no need to undertake a Sequential Test and Exceptions Test again, given this was already undertaken within the local plan for this allocated site. These allocations were made within the SPLA DPD, adopted in July 2020. However, changes to the National Planning Policy Framework (NPPF) a year later made subtle but substantive changes to national policy relating to flood risk. In particular with paragraph 158 in 2019, which become 162 in 2021, this clarifies that the sequential test is to be applied to steer development to area with the lowest risk of flood **from any source**. Unfortunately, the allocation relating to this development did not consider groundwater flooding. Whilst the NPPF also stipulates that applicants need not apply the sequential test again on sites allocated in the development plan, given the intervening subtle changes to relevant national planning policies, it is considered that the sequential and exceptions test should be undertaken on the basis of recently received legal advice.

- 5.2.3 Following legal advice relating to flooding matters, albeit for a different scheme within the district, it is considered that a flood risk sequential test and exceptions test should be undertaken, due to the way these were undertaken within the plan making process and subsequent subtle NPPF alterations. A sequential assessment and exceptions test has been submitted as part of this application following approval by planning committee to address this matter that came to light following the previous determination.

- 5.2.4 The proposal is located within an area which is in specific need for regeneration as identified within housing allocation H1.2, where the Council is supportive of residential development, and regeneration priority area EC5.4, where the Council is supportive of the regeneration of the remainder of the Luneside area. The proposal is for student accommodation, which policy DM7 directs to university campus', within or directly adjacent to Lancaster city centre. The application site is adjacent to Lancaster city centre, but looking for alternative sites beyond those directed by policy DM7 would not be policy compliant, and therefore the sequential test is limited to the areas stipulated in DM7. As directed by the relevant Planning Advice Note, comparable sites should be between 10% larger and smaller than the proposal, so potential to accommodate 31 to 39 student studio accommodation units, a site area between 0.04ha and 0.06ha. Furthermore, the application site is considered to be immediately deliverable in terms of timeframe for development, following works for remediation to facilitate the development of the Pump House.

- 5.2.5 The submitted sequential test has assessed various sites both within and beyond the above agreed parameters for the sequential assessment for the development. The sequential test concludes that none are suitable, either due to site size, policy constraints, implemented permissions being delivered already or ongoing use rendering them unavailable. This included sites within the strategic housing land assessment and various online marketing and property searches. Furthermore, the proposal offers particular circumstances that are extremely difficult to replicate elsewhere, particularly the partial retention of a non-designated heritage assets falling into disrepair through many decades of inactivity, and a circumstance that can only be delivered here, which is effectively completing the regeneration aspirations of the eastern triangle of the regeneration priority area. This is not just through the partial retention, conversion and development of the last undeveloped building from the last remaining historic building of the former St Georges Works complex, but also the financial contribution to the public open space scheme within this area, and the associated improvements and community buy-in to seeing functional and improved use of this open space. These could not be delivered elsewhere. For these reasons, and no identified sites appropriate for the scale and type of student accommodation proposed, development of the application site for this purpose is considered to pass the sequential assessment.

- 5.2.6 In terms of the exception test, the mitigation measures within the submitted FRA, namely a finished floor level almost 0.5 metres above the minimum floor level considered appropriate in terms of flood risk in this location. No objections were received from Environment Agency. The appropriate finished floor level of the proposal detailed on the proposed plans is considered to be suitable mitigation to ensure the development will be safe for its lifetime. The proposal would not exacerbate flood risk to surrounding properties, being largely impermeable as existing and proposed, and subject to planning conditions for drainage arrangements. As such, the proposal is considered acceptable in terms of flood risk without further mitigation. The site is defended from flood events from the river, and the low frequency 1in1000 year surface water flood events to the front extension communal

area and parking provision would be low impact, with a lack of basement minimising groundwater flooding impacts. These risks are given modest weight. However, the economic and social benefits to the community of this proposal within a regeneration priority area, contributing to addressing the acute housing supply under provision figures and the financial contribution to the nearby public open space scheme cumulative carry significant weight, and outweigh the modest flood risk from the proposal designed to minimise this impact.

6.0 Planning Obligations

6.1 A Section 106 Legal Agreement is sought to secure the following:

- £20,000 to the design, implementation and early maintenance of public open space to the north of St George's Quay.

7.0 Conclusion and Planning Balance

7.1 The scheme was presented to the Planning Regulatory Committee in November 2023. A sequential assessment and exceptions test has been submitted and assessed at the request of officers following the previous committee determination. Conditions sought by Councillors previously can be imposed on the consent, and the planning obligations for provision of public open space controlled through legal agreement. These remain unchanged from the previous resolution by planning committee.

7.2 With the above in mind, and the fact that the proposal is considered to have passed both the required sequential and exceptions test with the planning balance continuing to weigh in favour of the proposal, the development as a whole is considered sustainable. No identified harm individually nor cumulatively is considered to significantly and demonstrably outweigh the benefits assessed and presented in the previous report to the preceding Planning Regulatory Committee, and the recommendation remains to support the scheme subject to conditions and the provision of a legal agreement.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions and Planning Obligations (as set out at paragraph 6.1 of this report):

- £20,000 to the design, implementation and early maintenance of public open space to the north of St George's Quay.

Condition no.	Description	Type
1	Time Limit (3 years)	Control
2	Approved Plans	Control
3	Scheme for building recording and disseminating history	Pre-commencement
4	Contamination report and remediation	Pre-commencement
5	CEMP (including pollution control, noise and vibration mitigation, construction hours, vehicle movement, and protection of ecology)	Pre-commencement
6	Energy efficiency measures	Pre-commencement
7	Employment Skills Plan	Pre-commencement
8	Scheme for precise details of stairwell, door and tiles in this area	Pre-commencement to building envelope
9	Details and samples of external materials (including cladding, glazing, external doors, rainwater goods)	Pre-commencement of external works
10	Ecological mitigation (including bat boxes and planting details)	Pre-occupation
11	Drainage connections	Pre-occupation
12	Implement noise mitigation (including glazing, ventilation, fencing)	Pre-occupation

13	Precise details of the cycle store and trigger for full implementation	Pre-occupation
14	Security measures	Pre-occupation
15	Homeowner packs – HRA mitigation	Pre-occupation
16	Travel plan mitigation (including use of parking for occupants and employees at Pump House and sustainable travel measures)	Pre-occupation
17	Waste storage and collection	Control
18	External lighting	Control
19	Single Occupation Student Occupation Only	Control

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

Officers have made this 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

Previous report to the Planning Regulatory Committee November 2023