

Agenda Item	A9
Application Number	22/01396/FUL
Proposal	Works to existing flats including installation of balconies, replacement of pitched roofs with flat roofs, installation of solar panels, external cladding, new and replacement windows/doors, installation external canopies, erection of external bin and bike stores and associated external works, formation of communal courtyard and private amenity spaces and landscaping
Application site	Lune House And Derby House Lune Street And Derby Road Lancaster Lancashire
Applicant	Place Capital Group Limited
Agent	Mr Lewis Evans
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

(i) Procedural Matters

This application would normally be determined under delegated powers, however, Lancaster City Council holds an interest in this development proposal. For this reason, in the interests of transparency, the application is reported to Planning Committee for determination.

1.0 Application Site and Setting

1.1 The site sits to the south of the Mainway Estate, just to the southeast of Owen Road and Skerton Bridge overlooking the River Lune. Lune Street and Derby Road skirt the northern and western periphery of the site and the northern bank of the River Lune forms the southern border to the site. Lune House and Derby House are both 4 storey residential buildings featuring rendered exteriors underneath hipped roofs. Smaller bin storage buildings are located close to each building. Within the site are numerous trees and an adopted pedestrian footpath runs through the centre.

1.2 The surrounding area features a mixture of residential dwellings, including terraced dwellings to the west and a further residential building to the north, as well as numerous commercial buildings. Skerton Bridge which is located to the south is Grade II* listed and is also Scheduled Ancient Monument. Skerton Liberal Club located to the west is also Grade II listed. The majority of the site falls within flood zone 2, however, Derby House falls within flood zone 3 and a small area along the southern boundary of the site falls within flood zone 3b. The site benefits from the flood defences installed along the northern bank of the River Lune. The River Lune is a designated Marine Conservation Zone and a Biological Heritage Site. The site falls within the Article 4 area controlling

Houses in Multiple Occupation, part of the site though not Lune House and Derby House themselves falls within the Air Quality Management Area. The footpath through the site forms part of the adopted network and is also a designated cycle path.

2.0 Proposal

2.1 This application seeks planning permission for external alterations to the existing residential blocks including the installation of balconies, replacement of pitched roofs with flat roofs, installation of solar panels, installation external brick cladding, new and replacement windows/doors, installation external canopies, erection of external bin and bike stores and associated external works, formation of communal courtyard and private amenity spaces and landscaping within the site.

3.0 Site History

3.1 No relevant planning applications relating to this site have been received by the Local Planning Authority.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No response received.
Environmental Health Officer	Raises concerns with respect to potentially adverse impacts to the properties with regard to noise, overheating and air quality.
Fire Safety Officer	No response received.
Arboricultural Officer	No objections subject to a condition to secure final landscaping details.
Conservation Team	Does not wish to provide comments on this application.
Natural England	No response received.
Environment Agency	No objection subject to a condition to ensure development is undertaken in accordance with the Flood Risk Assessment.
Lune River Trust	No response received.
Historic England	Does not wish to provide comments on this application.
Waste And Recycling	No response received.
Property Services	No response received.
County Ecologist	No response received.
Cadent Gas (Previously National Grid)	No objections, informative advice provided to applicant.

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:

- Design and heritage matters
- Residential amenity
- Flood risk
- Ecology
- Trees
- Highways

5.2 **Design and heritage matters** National Planning Policy Framework: Section 2. Achieving sustainable development, Section 12. Achieving well-designed and beautiful places, Section 16. Conserving and enhancing the historic environment; Strategic Policies and Land Allocations DPD: Policy SP7: Maintaining Lancaster District's Unique Heritage; Review of the Development Management DPD: Policy DM29: Key Design Principles, Policy DM30: Sustainable Design, Policy DM39: The Setting of Designated Heritage Assets.

5.2.1 The issues to be considered are the potential impact of the proposals upon the setting and significance of the Skerton Bridge as a Grade II* Listed Building and Scheduled Ancient Monument. Skerton Bridge was erected in 1788 to the design of the notable bridge architect, Thomas Harrison and was further altered in 1849. The bridge demonstrates a high level of architectural interest as a major example of late-18th century public bridge design. The application site is situated to the immediate north-west of the northern end of the bridge, and is visible when moving northwest over the bridge. It is also visible when approaching the bridge in a south-easterly direction along Owen Road. The development site forms part of the wider surroundings of the bridge but do not contribute to the ability to understand its architectural and historic significance.

5.2.2 Section 16 of the NPPF states that when considering the impact of a proposed development upon the significance of a designated heritage asset, great weight should be given to the asset's conservation. It goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy DM39 of the Review of the Development Management DPD also states that the Council will look for opportunities for new development within the setting of heritage assets to enhance or better reveal their significance. Development proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset will be treated favourably.

5.2.3 The current buildings due to their form, appearance and prominence along the northern banks of the River Lune are considered to be poor quality structures which jar with the townscape particularly when viewed from the southern side of the river and from upon Skerton Bridge itself. The smooth textured beige render and pyramidal tiled roofs appear quite at odds with the prevailing historic context of sandstone and slate. In their current form, the buildings are considered to detract from the setting of the adjacent heritage asset and harm the character of the locality more generally.

5.2.4 The proposal seeks to enhance the character and appearance of these buildings through the removal of the obtrusive pyramidal roof and formation of a flat roof with a parapet. The buildings will then be clad with buff brick which will more closely reflect the character and appearance of sandstone with respect to tone and texture, a contrasting darker brick plinth is proposed to the lower section of the elevations. In addition to this, vertical bays with expressed window surrounds and profiled cladding panels, door canopies and external balconies will be constructed. Replacement windows and doors will complement the profiled cladding panels and expressed window surrounds.

5.2.5 Within the wider site, further landscaping is proposed along with the creation of private garden areas for some of the ground floor accommodation, the creation of a communal courtyard within the centre of the site, replacement bin storage facilities and the installation of a bike storage building. New boundary treatments and gates would be installed around the site perimeter along with new soft landscaping on site.

5.2.6 It is clear that relative to the design and appearance of the current structures and their immediate surroundings, the design alterations would significantly lift these buildings, creating a site that more

closely reflects the historic character of development along the banks of the River Lune. The use of buff brick would better reflect the surrounding sandstone structures adding texture and interest to these large and prominent structures. The formation of vertical bays with profile cladding panels and window surrounds add further visual interest and create proportions that reflect loading bays found within historic warehouse structures which are found along the southern side of the river. In wider townscape views such as from the southern side of the river, the proposal would enhance the visual appearance of the buildings and their interaction with their surroundings. The landscaping works around the site will further enhance the environment creating attractive spaces to encourage social interaction between residents. With respect to the setting of the adjacent heritage asset, and the policy requirements set out in the NPPF and DM39, the proposal will result in change to the character and appearance of the site and its interaction with the asset. Overall, it is considered that the proposal would have a positive effect upon the setting of the bridge through improving the experience of views from the bridge itself and when transitioning from the bridge to the path which runs through and around the site. The proposal would serve to enhance the built environment within the immediate setting of the heritage asset. In summary, the proposals present no risk of harm to the significance of the affected heritage assets, and no conflict with the requirements of the relevant policies of the Local Plan.

5.2.7 In order to ensure that a high quality of design is delivered, a condition is recommended to secure final details and samples of materials, along with final details of the hard and soft landscaping of the site, boundary treatments and the bin and bike storage buildings.

5.3 **Residential amenity** National Planning Policy Framework: Section 2. Achieving sustainable development, Section 12. Achieving well-designed and beautiful places; Review of the Development Management DPD: Policy DM29: Key Design Principles.

5.3.1 The proposal retains the existing accommodation, however, it seeks to provide private and communal garden spaces for residents, which also includes the stopping up of the adopted footpath through the site. At present, the accommodation does not benefit from such private amenity space, therefore, this represents an enhance in residential amenity terms. The design and appearance of the boundary treatments will be important and final details of these are to be secured by condition. Whilst not providing privacy within the gardens, given the openness of the site and relationship with the street scene, it is considered that low and open boundary treatments would be most appropriate. Furthermore, the installation of balconies would impinge upon the privacy of the private garden spaces, however, these are considered important both in design terms and in terms of enhancing social interaction and sense of community. They also serve to create a small outdoor space for the accommodation to the upper floors.

5.3.2 The Environmental Health Officer has reviewed the development and raised some concerns with respect to potentially adverse impacts to the properties with regard to noise, overheating and air quality. The proposal amounts to external alterations of the building, creation of ancillary bin and cycle stores and landscaping of the surrounding grounds for form gardens and communal spaces. The use of the site as residential is already established and the proposal does not result in any changes to the use of the site, layout of the residential units or number of residential units. Whilst the development site is close to the A6, given the use of the residential site is already established and proposal results in no material changes in this regard, a noise survey is not considered relevant to the determination of this proposal. Moreover, the provision of external amenity space would only serve to enhance the amenity standards of occupants given no private or shared external space is currently provided at the site.

5.4 **Flood risk** National Planning Policy Framework: Section 14. Meeting the challenge of climate change, flooding and coastal change; Review of the Development Management DPD: Policy DM29: Key Design Principles; Policy DM33: Development and Flood Risk.

5.4.1 Derby House is located within flood zone 3 and Lune House is located in flood zone 2. The site benefits from the Lune flood defence wall and bund. The effective crest level for the flood defence wall is between 6.32-6.99 mAOD for the site. The tidal flood level is 7.79mAOD for the 0.5% AEP event incorporating climate change at the modelled location closest to the site. For fluvial flood levels, the scenario of defences and climate change incorporated proved to be worst case providing a flood level of 8.66m AOD. Therefore, flood defences would be overtopped, and the flood levels

would exceed the finish floor levels of the development which was estimated to be at 7.47m AOD for Derby House and 8.06m AOD for Lune House.

- 5.4.2 The proposals are for external refurbishments with minimal internal works required. Existing finished floor levels are not able to be raised above the identified flood levels. Instead, options for flood resilience will be considered during the internal refurbishment works, and should flooding occur at the site, occupants are able to use internal staircases to route above the flood level to a safe place. Alternatively, Mainway, a 2-minute walk north of the site, is located outside of flood extents. The Environment Agency have reviewed the development and have raised no objection, subject to the development being undertaken in accordance with the Flood Risk Assessment.
- 5.5 **Ecology** National Planning Policy Framework: Section 12. Achieving well-designed and beautiful places, Section 15. Conserving and enhancing the natural environment; Strategic Policies and Land Allocations DPD: Policy SP8: Protecting the Natural Environment, Policy EN7: Environmentally Important Areas; Review of the Development Management DPD: Policy DM29: Key Design Principles, Policy DM44: The Protection and Enhancement of Biodiversity.
- 5.5.1 The application is accompanied by a bat survey which concluded that no bats were found to be roosting within the buildings. No further survey or mitigation work is required for the development to proceed, with regards to bats and the buildings. All of the scattered trees on site were subjected to a ground level assessment with regard to their potential to support roosting bats. Of the trees onsite nine were identified as having PRFs for bats. Trees T124 & T126 had negligible potential for roosting bats and no further survey is required. Trees T113, T114, T116, T117, T118 & T120 have low potential for roosting bats, and mitigation in the form of soft-felling techniques are to be implemented during arboricultural works. Tree T127 has moderate potential to support roosting bats, however, this tree is located to the south of the development site and will not be impacted by the proposed works. A condition is recommended to ensure that the development is undertaken in accordance with the precautionary mitigation measures detailed within the bat surveys.
- 5.5.2 With respect to birds, vegetation removal could result in the direct loss of nests, any individuals within the nests and of available nesting territories if conducted during the breeding season. Mitigation is required in the form of undertaking site clearance/vegetation removal works out outside of the breeding bird season or, if this is not possible, undertaking a targeted breeding bird nest survey to be conducted prior to the start on site or the appointment of an ecological clerk of works. Invasive species (giant hogweed) has been identified on site, therefore, an invasive species method statement will be required to detail control measures and ongoing spread prevention measures, which should be adhered to throughout the duration of the development. With respect to otters, there is a lack of suitable habitats present within the proposed development boundary and otters have not been identified, it is considered highly unlikely that otters will use the site or the adjacent habitat for holting / sheltering purposes, but they may use the offsite River Lune for commuting and foraging purposes. Precautionary mitigation measures are suggested. In light of the proximity of development to the River Lune, site clearance and construction works in general may result in disturbance and / or pollution of the river. Specific pollution prevention procedures or control measures will need to be implemented to ensure that the river is not affected by the proposed development and this could be secured by way of a Construction Environmental Management Plan condition.
- 5.5.3 In addition to the above mitigation measures, ecological compensation measures should also be provided to mitigate the loss of on-site habitat features. It is suggested that replacement nesting and roosting habitat for birds and bats be provided in addition to landscaping enhancements. The provision of both roosting habitat for birds and bats and landscaping within the site to mitigate tree losses can be secured by condition.
- 5.6 **Trees** National Planning Policy Framework: Section 12. Achieving well-designed and beautiful places, Section 15. Conserving and enhancing the natural environment; Strategic Policies and Land Allocations DPD: Policy SP8: Protecting the Natural Environment; Development Management DPD: Policy DM29: Key Design Principles, Policy DM45: Protection of Trees, Hedgerows and Woodland.
- 5.6.1 Three trees will be felled T113 - Whitebeam, T119 – Bird Cherry and T120 – Whitebeam. Trees T115 – Ash and T121 – Ash will require pruning works to enable development but can be retained. In addition to these tree works, an area of cherry laurel around the United Utilities pumping station will be felled with the area used as the site compound during the construction phase. In order to

mitigate the arboricultural works, the indicative landscaping scheme details nine new trees within the site in addition to low hedges and ground cover to be planted. The size and species of trees and other planning will require confirmation as part of a detailing landscaping plan along with their associated long-term management. This can be secured by way of a planning condition.

5.7 **Highways** National Planning Policy Framework: Section 8. Promoting healthy and safe communities, Section 9. Promoting sustainable transport; Strategic Policies and Land Allocations DPD: Policy T2: Cycling and Walking Network; Review of the Development Management DPD: Policy DM29: Key Design Principles, Policy DM61: Walking and Cycling.

5.7.1 The development site is encompassed by Owen Road (A6), Lune Street and Derby Road, however, the site itself does not benefit from vehicular access or private parking facilities. The residential use of the site is long established and there would be no impact upon the surrounding road network arising from this proposal. The surrounding road network is also constrained by highway restrictions including double yellow lines and short-stay and resident permit parking bays around the site.

5.7.2 The footpath which passes through the centre of the site is an adopted footway and is also cycle route which connects with that which passes below Skerton Bridge and continues along the northern banks of the river. This application seeks to establish a private resident's courtyard within the centre of the site and to achieve this, it is proposed that this adopted footway would be stopped up. This would require the developer to undertake a separate stopping up order to the Secretary of State. The Highways Authority have previously advised that they would support the stopping up of the footway to create a private courtyard space, as there are alternative suitable routes for the general public around the site.

5.7.3 The Environmental Health Officer has requested the installation of electric vehicle charging infrastructure, however, as already described, the development site does not benefit from vehicular access or private parking facilities to provide this.

6.0 Conclusion and Planning Balance

6.1 The development seeks permission for external and internal refurbishment of two large residential blocks situated in prominent and sensitive location. The external alterations are considered to represent the visual enhancement of these buildings, resulting in a development which will more sensitively reflect characteristics of the surrounding townscape and create a higher standard design and environment immediately adjacent to the Grade II* listed/Scheduled Ancient Monument Skerton Bridge. The proposal will also secure enhancements in the standard of accommodation and residential amenity for occupants of this site. The proposed changes would not result in detrimental impacts with respect to flood risk, ecology and highway safety subject to the conditions detailed. The development is therefore considered acceptable and complies with local and national planning policy.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control
2	Approved plans	Control
3	Submission of Invasive Non-native Species methodology	Prior to commencement
4	Submission of Construction Environmental Management Plan	Prior to commencement
5	Submission of material details and samples	Prior to commencement
6	Submission of landscaping and maintenance scheme	Prior to commencement
7	Submission of bat and bird nesting scheme	Prior to commencement
8	Submission of cycle store details and provision prior to occupation	Prior to commencement/occupation

9	Submission of bin store details and provision prior to occupation	Prior to commencement/occupation
10	Development in accordance with Arboricultural Impact Assessment	Control
11	Development in accordance with Flood Risk Assessment	Control
12	Development in accordance with bat, bird and otter mitigation measures	Control

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

Lancaster City Council has made the decision 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 decision 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