

Agenda Item	A9
Application Number	24/00555/FUL
Proposal	Relevant demolition of the Homeless Action Centre
Application site	Lancaster & District Homeless Action Service Homeless Action Centre Edward Street Lancaster
Applicant	Mr Phil Moore
Agent	
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 The property that forms the subject of this application is a modular type building located on the eastern side of Edward Street, close to the junction with Moor Lane in Lancaster. The site is enclosed by metal palisade fencing. Edward Street car park is located adjacent to the site to the north, further buildings form the eastern and southern boundaries and Edward Street formed the western boundary.
- 1.2 The site is located within the Lancaster Conservation Area, within the Canal Corridor North sub-area. The Heron Chemical Works building located to the east of the site is identified as a Non-Designated Heritage Asset. The site is located within an area identified as being at medium risk of groundwater flooding.

2.0 Proposal

- 2.1 This application seeks planning permission for the relevant demolition of the modular building and removal of the associated metal palisade fencing.

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
91/1345/HST	Erect Portacabin for Day Care Centre for Homeless People	Permitted

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	No objection.
Canal and River Trust	No comment on this proposal.
Highways Authority	No objection, conditions requested to secure a demolition management plan and to restrict delivery hours.
Environmental Health	No objection, conditions requested to secure an asbestos survey.
Property Services	No response received.

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
- Highway impacts
- Trees
- Contamination

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 DM38: Development affecting Conservation Areas and Policy DM41: Development Affecting Non-Designated Heritage Assets or their settings.

5.2.1 The Listed Building and Conservation Area Act 1990 sets out that when considering development proposals within Conservation Areas, the Local Planning Authority has a statutory duty under the Act to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is reflected within Section 16 of the NPPF which states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Policy DM38 of the Review of the Development Management DPD also states that proposals should conserve and where appropriate enhance character and appearance of Conservation Areas.

5.2.2 The subject building by reason of its design and appearance is harmful to the character and significance of the Conservation Area and detracts from the appearance of the street scene. Its removal from site along with the associated metal palisade fencing is supported. The site will then be left in a vacant state. The application has been reviewed by the Councils Conservation Team who have stated that they have no objection to the proposal. Overall, there would be no adverse heritage impact arising from the development and the scheme will satisfy the relevant statutory and policy context with respect to heritage and design matters. In order to ensure that the site is left in a safe and acceptable condition with respect to surfacing materials following removal of the modular building, a condition is recommended to secure details of a demolition and remediation plan.

5.3 **Highway impacts** National Planning Policy Framework: Section 9. Promoting sustainable transport; Review of the Development Management DPD: Policy DM29: Key Design Principles.

- 5.3.1 The County Highways Authority has reviewed the proposal and has confirmed that they have no objections to the development. Comments were made regarding the subsequent use of the land and the existing access towards the southern end of the site. However, this application relates to the demolition of the building and removal of fencing only and does not seek permission for a change of use of the land. Any change of use, such as the use of the land as a car park, may require further planning permission.
- 5.3.2 Conditions to secure a demolition management plan and to restrict delivery hours to the site have been recommended by the Highways Authority. In light of the location of the site along a busy road, which also experiences higher levels of pedestrians and close to the junction with Moor Lane, a condition to secure such a management plan to ensure the safe operation of the highway network and pedestrian environment is considered reasonable. This is to be inclusive of the remediation plan already detailed within the report. Due to the scale of the building to be removed, it is highly likely that the demolition process will impact upon the operation of the road network during the demolition phase. The condition to restrict delivery times to the site is not recommended as the demolition management plan would ensure the safe operation of the highway network.
- 5.3.3 An advice note is also recommended highlighting the possible requirement for relevant permits to be obtained from the Highways Authority for works on, or immediately adjacent to, the adopted highway network.
- 5.4 **Ecology** National Planning Policy Framework: Section 12. Achieving well-designed and beautiful places, Section 15. Conserving and enhancing the natural environment; Development Management DPD: Policy DM29: Key Design Principles, Policy DM44: The Protection and Enhancement of Biodiversity, Policy DM45: Protection of Trees, Hedgerows and Woodland.
- 5.4.1 The northern end of the subject building sits in close proximity to a number of trees, the canopies of which spread over the development site. In order to ensure the demolition process does not impact upon these trees and that they can be retained in the context of the development, a method statement to demonstrate how the demolition/removal will take place is to be conditioned.
- 5.4.2 The application is accompanied by a bat and nesting bird survey which concluded that no bats or birds were found to be roosting/nesting within the buildings. No further survey or mitigation work is required for the development to proceed, with regards to bats/birds and the buildings.
- 5.5 **Contamination** National Planning Policy Framework: Section 15. Conserving and enhancing the natural environment; Development Management DPD: Policy DM32: Contaminated Land.
- 5.5.1 The Councils Environmental Health Officer has requested a condition to secure details of an asbestos survey and remediation plan. The control of asbestos in demolition and construction is subject to separate legislation under The Control of Asbestos Regulations 2012. In light of separate legislative requirements which the developer must satisfactorily address independent of planning permission, the requested condition is not recommended.

6.0 Conclusion and Planning Balance

- 6.1 The removal of the current unattractive modular building and security fencing will serve to enhance the appearance of the site and that of the Conservation Area. In this instance, it is appropriate to impose conditions to ensure the safe operation of the highway network and pedestrian environment during the demolition phase, and to ensure the demolition works do not impact trees which neighbour the site.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Timescale	Control

2	Approved plans	Control
3	Demolition and remediation plan	Prior to commencement
4	Arboricultural method statement	Prior to commencement

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