

Agenda Item A16	Committee Date 15 March 2010	Application Number 10/00108/CU
Application Site 6A Lines Street, Morecambe, Lancashire LA4 5ES		Proposal Change of use of former store at first floor to a self contained 2 bed apartment
Name of Applicant Mr Steve Hughes		Name of Agent Michael Harrison
Decision Target Date 2 April 2010		Reason For Delay Not applicable
Case Officer		Peter Rivet
Departure		No
Summary of Recommendation		Refusal

1.0 The Site and its Surroundings

- 1.1 This application was originally identified as one which could be determined by the Head of Planning Services under delegated powers. It has been referred to Committee at the request of Councillor Archer, because of the possible impact of the development on one of the neighbouring businesses.
- 1.2 The property occupies part of an island site on the edge of the centre of Morecambe. The building concerned is occupied by a mix of retail and industrial uses. It has recently been renovated as part of a programme of improvements to the Morecambe Conservation Area.

2.0 The Proposal

- 2.1 The applicant wishes to convert part of the first floor to a flat. The accommodation would consist of a living room/kitchen, two bedrooms and a bathroom. As there is no open space available within the curtilage an internal bin store would be provided at the entrance, next to the stairway.
- 2.2 The present application differs from its predecessors in that it no longer involves the area directly above the printing works. Instead, the living accommodation would occupy the area above an art shop. The floorspace over the Deansgate side of the building would continue to be used for storage purposes only.
- 2.3 The proposal is accompanied by a report from an acoustic consultant. This concludes that the sound insulation measures within the building pass the standards set out in the Building Regulations.

3.0 Site History

- 3.1 The current proposal is not the first for this development. Previous applications for flats have been refused, because of concerns about the compatibility of residential use with the general industrial use on the ground floor of the Deansgate side of the building.

Application Number	Proposal	Decision
03/00442/CU	Change of use of first floor store to self-contained flat	Refused
03/00730/CU	Change of use of first floor store to offices	Refused
07/00600/CU	Change of use of first floor store into 2 self contained flats	Withdrawn
08/00181/CU	Change of use of first floor store into 1 self contained flat	Refused

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Consultees	Response
Environmental Health	The acoustic report does not specify exactly where the readings were taken from, nor does it indicate what additional insulation has been installed. They are concerned about the combination of residential accommodation with a general industrial use in the same building.
Housing Policy Officer	No objections.
Morecambe Town Council	No observations received at the time this report was prepared.

5.0 Neighbour Representations

5.1 Two objections have been received. One is from the Central Printing Company, who occupy premises at Deansgate, on the opposite side of the building from 6 Lines Street. They are concerned that vibration from their machinery could be a source of serious nuisance to occupiers of the flat and that this could prejudice the future of their business. A copy of this letter appears at the end of the report.

5.2 Another letter comes from the owner of 3 Deansgate who shares their concern. He also draws attention to conversion work on the premises, which they say appears to have been taking place in advance of consent being granted.

6.0 Principal Development Plan Policies

6.1 Policy **SC1** of the Lancaster District Core Strategy encourages sustainable development, in locations where it is convenient to walk, cycle and travel by public transport.

6.2 The proposal has also to be considered in relation to "saved" policy **H21** of the Lancaster District Local Plan (LDLP), which requires that flat conversions comply with the standards set out in appendix 2 of the Plan. As the site is in a Conservation Area, "saved" Policy **E36** which refers to changes of use within them is relevant.

6.3 Finally, note has to be taken of central government advice as set out in PPG24 (Planning Policy Guidance: Noise). This states that local planning authorities should consider carefully whether proposals for noise sensitive development would be compatible with existing activities.

7.0 Comment and Analysis

7.1 In general the use of accommodation above shops in town centres for residential use is to be welcomed. They can provide low-cost accommodation in accessible locations which is particularly suitable for people of limited means who are dependant on public transport, and ensures that the upper floors of buildings is maintained to a satisfactory standard.

7.2 The internal layout of the accommodation meets the standards set out in Appendix 2 of the LDLP. The main bedroom provides more than the 10.2 sq.m minimum floorspace required for a double bedroom. The outlook over Deansgate is a reasonably open one. The lack of any open space within the curtilage is a limitation but the architect has partly addressed this by providing an enclosed bin store adjoining the door to the flat, underneath the stairs. Arrangements of this kind have been accepted for flats above shops elsewhere in the centre of Morecambe.

- 7.3 The difficulty here is that part of the ground floor of the building is occupied not by a retailer, but by a general industrial (Class B2) use. Printing involves the use of noisy machinery, and the nature of the business means that from time to time printers have to work late in the evening to meet deadlines.
- 7.4 In this case the building also has a concrete floor and there are steel columns resting on it supporting the upper storeys. This means that noise transmission from the print works is particularly difficult to contain.
- 7.5 It should also be noted that if the printing workshop were to move, it would be possible for any other class B2 user (such as a motorcycle repairer) to take over the premises, without any need for a further planning permission. The acoustic report indicates that the insulation installed meets Building Regulations standards, but these are intended to insulate one flat from another rather than from machinery such as that used by printing workshops.

8.0 Planning Obligations

- 8.1 None involved in this application.

9.0 Conclusions

- 9.1 Taking these considerations into account, and specifically the continued reservations of the Environmental Health Service in respect of the Noise Assessment, the local planning authority cannot guarantee an acceptable standard of amenity for the proposed flat, and therefore it is recommended that permission should be refused.

Recommendation

That Planning Permission **BE REFUSED** for the following reasons:

1. Insufficient evidence to demonstrate that the transmission of noise and vibration from the adjoining workshop will not cause nuisance to residents of the living accommodation.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

1. Letter from the Central Printing Company setting out their concerns about the proposal.