

DECISION DATE 9 July 2005	APPLICATION NO. 05/00848/FUL A27	PLANNING COMMITTEE: 27 June 2005
DEVELOPMENT PROPOSED ERECTION OF 139 APARTMENTS, PUBLIC HOUSE/CAFÉ (A3 USE), OFFICE ACCOMMODATION (B1 USE) AND ASSOCIATED PARKING		SITE ADDRESS FORMER MARTON STREET DEPOT, MARTON STREET, LANCASTER.
APPLICANT: Merewood Group Limited., Helm Bank, Natland, Kendal, Cumbria, LA9 7PS.		AGENT: Broadway Maylan.

REASON FOR DELAY

Awaiting further amended proposals from new owners.

PARISH NOTIFICATION

N/A.

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan - the site is allocated as a Housing Opportunity site and is the subject of the Lancaster Canal South Development Brief, Policy H2 applies. This is a category A site in SPG 16.

STATUTORY CONSULTATIONS

County Highways - No objection or further comment on revised proposals.

Chief Engineer - No objection to revised proposals.

County Archaeologist - No objection to revised proposals subject to prior archaeological investigations.

Environmental Health - No objection in principle subject to hours, odour, air quality, contaminated land and no takeaway use conditions.

CABE - No comment.

British Waterways - No objection to revised proposals subject to the City Council adopting the bridge.

United Utilities - No objection to the revised proposals.

Strategic Housing - Precise details need to be agreed for affordable housing.

Fire Service - No objection in principle.

Police - No response received.

Lancaster Civic Society - No response received.

OTHER OBSERVATIONS RECEIVED

One letter has been received objecting to any further building on this site or anywhere else in Lancaster because of the existing traffic congestion.

REPORT

Members will recall that this application was originally considered by Committee in December 2002. A copy of that report is attached for Members' reference and adequately describes the original scheme. At that time the Committee delegated the decision to the Head of Planning and Building Control to approve the application subject to the agreement of final amended proposals and a Section 106 Agreement as set out in the recommendation.

However, before these matters were all resolved, the ownership of the site and this application changed to Persimmon Homes, who considered that the original scheme did not maximise the potential of the site or fit the profile of current demand for City centre accommodation. Revised proposals which retained the architectural form of the development but rearranged the interior to increase the number of units from 97 to 139, the number of parking spaces from 77 to 100 and the gross office floor area from 545sq metres to 565sq metres were therefore submitted.

These revised proposals were considered by the Committee in September 2004. A copy of that report is also attached for members reference and adequately describes in detail those changes to the scheme. Again the Committee delegated the final decision to the Head of Planning and Building Control to approve the application subject to agreement of final amended proposals and a Section 106 Agreement as set out in the recommendation.

The outstanding issues had again been agreed but before the outstanding Section 106 issues were resolved the developer concluded that in the rapidly changing market even this revised scheme was not commercially viable.

A further set of revised proposals have therefore now been submitted which the applicants suggest is significantly more efficient, whilst maintaining the same accommodation of 139 residential apartments, similar B1 office space and the A3 cafe bar. The number of car parking spaces has however reduced to 86 and the number of buildings has been reduced from 4 to 2 whilst maintaining the form, massing, architectural character and urban design principles of the previous proposals.

In detail the amendments are as follows:-

The most prominent aspects of the scheme to Aalborg Place and Quarry Road have remained for the most part unchanged, with the exception of the external step and ramp access to the B1 Office Space. To avoid interfering with the existing wall along Quarry Road this has been replaced with a lobbied entrance providing both stair and lift access, whilst also providing maintenance access to the existing wall. In addition the lift provides improved access for the disabled.

During discussions with the applicant's engineers it became apparent that the floor to floor depth of the offices was insufficient. This has now been corrected. Consequently the height of Block A has risen by 0.825 metres.

The previous scheme comprised four principle blocks (A, B, C and D). It is proposed to consolidate C and D into a single block. This amendment reinstates the 'Canal Corridor' in contrast to the fragmented edge of the earlier scheme and clearly defines the public canal-side walk.

The under-croft car parking to these blocks has been replaced with apartments at ground floor level softening the frontage to the canal-side walk. The parking has been relocated externally to the rear of the site. This considerably reduces the amount of fill to be removed from the site.

The public use of the space has been reconsidered. In addition to defining the canal-side walk the proposed bridge has been adapted to link the existing 'White Cross Centre' on the tow-path side of the canal directly to the new public space rationalising public routes and gathering spaces.

Apartments have been redesigned generally, with many being reduced in size. The percentage of two bed apartments has dropped from 60.4% to 51.1%. Circulation to the apartments has improved with 100% lift access achieved.

Vehicle access into the site has been improved utilising an existing entrance off Aalborg Place. This simplifies access for both refuse lorries and fire tenders.

The principle change therefore is to the southern end of the scheme which now runs parallel to the canal frontage, but the design of this new element is the same as that already agreed and can perhaps be best appreciated with references to a model which will be available for members at Committee. Other changes to the scheme are minor in terms of its scale, character, form and appearance.

It is considered therefore that this further amended proposal can be supported and that delegated authority again be given to the Head of Planning and Building Control to approve the application when a Section 106 Planning Obligation relating to the provision of affordable housing, a contribution to the proposed public transport information system and the provision and maintenance of the canal foot bridge and canal side footpath has been completed.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

RECOMMENDATIONS

That the decision be delegated to the Head of Planning and Building Control to approve the application subject to the completion of a Section 106 Agreement relating to the provision of affordable housing, a contribution to the proposed public transport information system and the provision and maintenance of the canal foot bridge and canal side footpath has been completed and to conditions covering the following issues:-

1. Standard full permission.
2. Amended plans.
3. Development in accordance with approved plans.
4. Samples of materials and finishes to be agreed
5. Architectural detailing to be agreed.
6. Landscaping to be agreed and maintained.
7. Car parking and garaging to be provided and retained.
8. A3 use to be restricted to 7:30am to 11:30pm.
9. B1 use to be restricted to offices.
10. As requested by consultees.