

Agenda Item A15	Committee Date 10 November 2014	Application Number 14/00804/LB
Application Site Tramway Hotel 127 St Leonards Gate Lancaster Lancashire		Proposal Listed Building application for external and internal alterations to facilitate the change of use and conversion of Public House (A4) to form 11 self contained student apartments (C3)
Name of Applicant Mr Mustaq Mister		Name of Agent Mr Michael Harrison
Decision Target Date 9 October 2014		Reason For Delay Committee cycle
Case Officer		Mrs Jennifer Rehman
Departure		No
Summary of Recommendation		Approval subject to the submission of satisfactory amendments and further information

1.0 The Site and its Surroundings

- 1.1 The property that is the subject of this application is a grade II Listed building located at the western end of St Leonard's Gate within the Lancaster Conservation Area adjacent to the city centre boundary. The property, known as the Tramway Hotel (or 127 St Leonards Gate), is a significant example of an 18th century townhouse with an important historic interior, suggested to date back to c.1750. It was later acquired by Mitchells Brewery in 1890 and adapted and extended to a hotel. The Tramway ceased operations in 1996 and has since lain vacant, gradually falling in to a very poor condition.
- 1.2 The Tramway is a three storey building (plus basement and attic) comprising a symmetrical façade of 5 bays of windows presenting typical neo-classical proportions. It is finished in ashlar stone to the front with rendered coursed rubble to the side and rear under a pitched slate roof. The principal part of the building is rectangular in plan and double-pile in depth with front and rear rooms either side of the central stair and landing. To the rear there are single and two storey additions. It forms part of a terrace of three buildings all sharing the same building line fronting St Leonard's Gate, although the adjoining properties appear to have been slightly later additions to the street. The adjoining buildings are both grade II Listed and comprise retail units at ground floor and residential uses above.

2.0 The Proposal

- 2.1 Listed Building Consent is sought for internal and external alterations to facilitate the proposed change of use to provide 11 self-contained studio flats to accommodate students. Given the significance of the historic interior the extent of alterations proposed are quite extensive.

- 2.2 The proposed internal and external alterations are as follows:

Internal alterations:

- Check and repair where necessary floor timbers. New timber at first floor in outrigger.
- Excavate solid floors in rear extension and outrigger, provide new concrete floors with

insulation to both areas.

- Form internal stud partitions with 50mm rigid insulation between studs and plasterboard/skim finish to all external walls
- Erect new timber stud/plasterboard partitions and alter existing lath and plaster walls to form new internal room layout.
- New suspended ceilings to be provided to underside of each floor
- Carry out repairs to historic timber stairs including re-instating handrails and balusters to match existing, forming new flight to outrigger at first floor level, repairs to treads and risers as required and treating
- Remove plaster from stud walls forming stairwell and fix Fireline plasterboard with quilt insulation between studs
- Repair and redecorate existing 6 panel doors to stair area and treat with fire resistant paint
- Check all fireplace openings, sweep clean and wall up openings where fireplaces have been removed incorporating air grate for ventilation purpose.
- New stud wall to be constructed over historic fireplaces which remain in situ.
- Complete re-wiring and new plumbing/waste/drainage systems

External alterations:

- Provide new painted timber sliding sash windows
- Refurbish main entrance door and fanlight over
- Provide new painted timber door 4 panel pattern at rear
- Wall up door opening in rear outrigger with cavity blockwork and finish with painted render to match existing
- Rebuild head of wall to form gables for pitched roofs either side of valley gutter bedded and pointed in NHL 3.5 lime mortar.
- Re-form timber roof structure to dual roof over W3 and lean-to roof over W6 incorporating insulation and finish with good quality second-hand slates to match existing finish head of gable with monopitch interlocking clay ridge tiles bedded and pointed in coloured NHL 3.5 lime mortar
- Repair roof timbers to east slope of outrigger as necessary and re-slate with good quality second-hand slates to match existing, re-bed and point clay ridge tiles in NHL 3.5 lime mortar
- Provide new poly powder coated black cast iron gutters and downpipes to all elevations
- Check and repair main roof slopes and lead flashings
- Install conservation rooflights
- Re-pointing
- Relay drains in yard area and replace yard with stone flags

3.0 Site History

- 3.1 The property has a limited planning history as it has historically been a public house since Mitchells acquired it and altered it back in 1892. More recently, the application site (and the adjoining terrace) was included in the Canal Corridor North scheme (Centros Lancaster LP), which was subsequently refused by the Secretary of State. This proposal sought to retain the buildings but proposed to remove their outriggers which were later additions. The aspirations were to retain the Tramway as a public house/leisure use.

Application Number	Proposal	Decision
07/00674/LB	Listed Building application for demolition of rear extensions and outbuildings and alterations / reinstatement of the rear elevations to 127-131 St Leonards Gate.	Refused (following Call-in Inquiry by Secretary of State)

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	<p>The following key concerns have been received:</p> <ul style="list-style-type: none"> • Lack of information to support the proposal and demonstrate no adverse impacts on the significance of the listed building • Lack of consideration of the impact on the significance of specific historical features • Comments that some of the proposed fire/sound interventions are not appropriate and would harm the significance of the asset – alternative methods are required <p>In addition to the above key areas of concern, the Conservation Officer has raised a number of specific comments in relation to the proposed internal and external works. The majority of which can be overcome by further details being submitted for consideration or by condition.</p>
County Archaeology	No objections subject to an appropriate condition securing a programme of archaeological work and building recording.
Lancaster Civic Society	Support the restoration of the building but have concerns over the density of the development. The Society question the obscure glazing to the front elevation.
Ancient Monuments Society	Comment on the need to remove some of the original windows and the need for the introduction of suspended ceilings.

5.0 Neighbour Representations

- 5.1 The application has been advertised in the local press and a site notice posted. At the time of writing this report no public representations had been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs **128 – 134** – Conserving and Enhancing the Historic Environment
Paragraphs **186, 187, 196 and 197** – Decision-taking

6.2 Lancaster District Core Strategy (adopted July 2008)

SC5 – Achieving Quality in Design
E1 – Environmental Capital

6.3 Lancaster District Local Plan - saved policies (adopted 2004)

E33 – Listed Building Alterations and Extensions
E35 - Conservation Areas and their Surroundings
E36 – Change of Use in Conservation Areas
E39 – Alterations and Extensions to buildings in Conservation Areas

6.4 Emerging Development Management DPD

The Council is in the latter stage of preparing its' emerging Local Plan. The Development Management DPD and Morecambe Area Action Plan have both been found to be soundly prepared, subject to the Inspector's binding modifications. It is anticipated that both documents will be reported to Full Council shortly with a resolution to formally adopt them as part of the Local Plan for Lancaster District 2011-2031. Given the advanced stage of preparation, the policies contained in both documents are now considered to hold significant weight in decision-making. The following policies are relevant:

DM30 – Development affecting Listed Buildings
DM31 – Development affecting Conservations Areas
DM34 – Archaeological Features and Scheduled Monuments
DM35 – Key Design Principles

6.5 Other Material Considerations

- National Planning Practice Guidance
- Lancaster Canal Corridor North: Assessment of Heritage Value and Significance (Conservation Studio, 2011)
- Historic Building Recording Nos127-131 St Leonard's Gate (C.J.O'Flaherty, 2006)

7.0 Comment and Analysis

- 7.1 There are a number of internal and external alterations proposed to facilitate the proposed change of use. At this time, the application fails to provide sufficient information to fully assess the impacts of the proposal on the historic fabric of the building. The Tramway has been subject to a detailed recording report (C J O'Flaherty, 2006) and has been previously considered in an Assessment of Heritage Values and Significance for the Canal Corridor North scheme (Conservation Studio, 2011). Both documents conclude the building is of high significance as a good example of an 18th century townhouse, retaining many of its original features. The NPPF requires great weight to be given to the asset's conservation and the more important the asset, the greater weight should be applied in the decision-taking process (paragraph 132). The submitted Heritage Statement does not adequately assess the impact of the proposals on the significance of this designated heritage asset but does make reference to the earlier reports which describe the building as high significance. The application equally fails to provide sufficient detail to fully assess the impacts of the proposal on the significance of the asset. The Conservation Officer has raised a number of concerns which need to be addressed before the development would be considered compliant with national and local heritage policy.
- 7.2 The main areas of concern relate to the potential impacts of the modern interventions proposed to ensure the building meets fire/insulation/noise attenuation standards, including the provision of en-suites to all the proposed units. There are particular concerns regarding the installation of suspended ceilings and the impacts this could have on the historic fabric of the building, such as the historic moulded cornices. The same concerns apply to the installation of timber stud walls with insulation applied to the existing internal walls where there are original cornices present. This proposal also has the potential to impact the historic timber wind reveals. Officers have questioned the need for this form of intervention and are currently in the process of negotiating with the applicant to address these concerns. If alternative measures can be explored which have potentially less impact on the historic fabric, Officers concerns are likely to be alleviated. Equally, if the applicant can evidence through appropriate supporting information that the proposed interventions would not harm the significance of the interior, Officers could be satisfied.
- 7.3 Despite some fundamental concerns about the impacts of the proposed change of use on the historic fabric, Officers are acutely aware of the vacant and poor condition of the Tramway and the need to provide a viable use that could sustain this heritage asset in the long term. The Conservation Officer has raised concerns over the proposed use and the impacts the proposal has on the original room layouts. Officers accept these concerns, but find that the concerns over the impact on the original room layout would not be as significant as the proposed alterations to facilitate the development. The original room layout at ground floor has changed significantly over recent years when it was adapted to a public house by Mitchells and is less significant than the layouts on the floors above. The original double-pile depth plan form of the property is a significant feature of the age and quality of this Listed building and therefore it is important to assess the proposed alterations in this respect. Despite concerns aired by the Conservation Officer, Officers find that the proposal would not lead to substantial harm to the original room layout (the double-pile depth plan form). This original layout can still be read from the proposed layout – the retention of the central staircase helps secure the evidential and historic value of the original layout. Whilst the insertion of the new partitions to provide the en-suites would weaken the historic layout it would not lead to substantial harm. Any harm caused in relation to this impact would be outweighed by the clear benefits of bringing this building back into use. Planning Practice Guidance (paragraph 015) states that harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised. The building has lain vacant since 1996. It is also no longer part of the land acquired for the Canal Corridor North scheme. In which case Officers are mindful that the proposed use could provide the best opportunity in the medium term to return this property back into a beneficial use. Whilst viability and enabling works have not been discussed or progressed by the applicant, it is evident by the condition of the building that

significant investment is required to secure and sustain this building.

- 7.4 The Conservation Officer has questioned and made a number of observations in relation to other more minor (yet cumulatively significant) works in relation to this proposal, such as intentions to cover up fireplaces, the mortar specification proposed, works in the basement and gutter patterns for the new rainwater goods. It is contended that these minor works can be overcome before determination and if amendments/further information is satisfactory then they can be controlled by condition. The applicant's agent has indicated that all comments raised by the Conservation Officer have been taken on board and amended information shall address these issues. A verbal update will be provided.
- 7.5 There are a number of minor and significant amendments required and additional detail needed before Officers are fully satisfied the development is compliant with paragraph 133 of the NPPF, Core Strategy E1, saved policy E33 and emerging policy DM30. The applicant's agent has indicated that they are willing to address these concerns and work with Officers to secure the re-use of this building in a manner appropriate to its special character. Amendments/further information is due to be submitted in advance of this meeting. A verbal update will be provided.
- 7.6 Overall, this important Listed Building is currently in a very poor condition and is in need of significant repair. Given its current condition, it equally does not positively contribute to the character and special qualities of the Lancaster Conservation Area. The re-use of the building in a manner appropriate to its listed status (currently under negotiation) would provide a needed opportunity to return a very important Listed building back into use. This would also improve the visual appearance of the street and enhance the quality and character of the Conservation Area.

8.0 Planning Obligations

- 8.1 There are no planning obligations to consider as part of this application.

9.0 Conclusions

- 9.1 The proposal offers a potential opportunity to restore and return this important Listed building back into a beneficial use for future generations to enjoy. This carries significant weight in the determination of the proposal.
- 9.2 However, as it stands at present the application has not provided sufficient detail to demonstrate that the alterations proposed to facilitate the development would not lead to substantial harm to the significance of the heritage asset. Officers are currently negotiating with the developer to resolve concerns about the impact of the development on the historic interior of the building to find appropriate solutions to enable the proposal to be supported (in accordance with paragraph 187 of the NPPF).
- 9.3 Subject to the submission of satisfactory amendments and further information to appropriately assess the impacts of the proposal on the historic fabric of the building and to ensure an acceptable standard of accommodation is proposed, Members are recommended to support the development. In the event that the information submitted is insufficient or inadequate, Officers would recommend refusal on such grounds. Alternatively, if Members support the proposal but additional time is required to secure the amendments/further information to positively proceed, Officers may seek delegation back to the Chief Officer of the service.

Recommendation

Subject to the submission of satisfactory amended plans and further information Listed Building Consent **BE GRANTED** subject to the following conditions:

1. Standard Time Limit
2. Approved Plans (TBC)
3. Prior to commencement the following details to be agreed:
 - Window repair and retention details (methods for repair and retention of windows including details of re-glazing to existing timber sash and case windows).
 - Surviving historic sash and case window to rear of the building to be retained and repaired as original - details of any secondary glazing to be agreed.

- New sash and case windows and glazing, including colour.
 - Details and size of conservation rooflights
 - Schedule and methods for retention and repairs (upgrading) of timber floor structures, staircase and balustrades details, existing doors and architraves, fireplaces, timber window reveals, shutters in working order and rainwater goods including retention of stone gutter corbels.
 - All new internal/external doors including details of ironmongery and colour schemes
 - Details of new cast iron gutters, rainwater pipes and fixings, including colour.
 - Details of any extract vents or flues to be provided
 - Samples of all new external materials (slate/render/external paving stone flags)
 - Bedding of ridge tiles to be carried out in NHL 5.0 lime mortar (sample required)
 - Details of any proposed cleaning of the stonework – a sample area to be inspected/agreed
 - Details of the proposed repointing mortar of the stone masonry to front façade and stone rubble masonry to rear and sample areas of any raking out of the existing joints and repointing
 - Methods for protection, repair, retention and re-use of historic skirting boards. New skirting boards to match the historic pattern and to be agreed
 - New floorboards to be agreed and should match historic details
 - Method for retention and repair of existing historic cornices. Where new cornices are required (due to alteration of historic partitions) new cornices to match existing pattern
 - The internal faces of the external walls in the C18th building are to be plastered with an insulating plaster and details are to be provided for the approval of the LPA.
 - Above ground drainage details (soil and cent stacks)
4. Archaeological Investigation (any works below cellar floor or the rear yard)
 5. Historical Building recording

Article 31, Town and Country Planning (Development Management Procedure) (England) Order 2010

In accordance with the above legislation, the City Council can confirm the following:

Subject to the submission of satisfactory amendments/further information the proposal would comply with the relevant policies and provisions of the Development Plan.

The local planning authority continues to proactively work with the applicant/agent in negotiating amendments to positively influence the proposal to secure a development that would accord with the Development Plan and the National Planning Policy Framework.

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

None