

Agenda Item A7	Committee Date 8 December 2014	Application Number 14/00961/CU
Application Site 5 - 11A Brock Street Lancaster Lancashire LA1 1UR	Proposal Change of use of upper floors from retail and storage to student accommodation comprising 35 studio apartments, creation of a fourth floor with alterations to the roof including new dormer windows to the front and rear, alterations to fenestration and installation of new retail frontages on the ground floor	
Name of Applicant Mr Inayat Munshi	Name of Agent Mr RAFIQ MOGRA	
Decision Target Date 26 December 2014	Reason For Delay	
Case Officer	Mr Andrew Holden	
Departure	N/A	
Summary of Recommendation	Approval subject to conditions	

1.0 The Site and its Surroundings

- 1.1 The application site is located in the heart of Lancaster City Centre at the junction of Brock Street and Mary Street. The application is the former Oddfellows Hall built in 1844 as a meeting room with residential accommodation below. The building is not listed but lies within the Lancaster Conservation Area. The building is stone built under a slate roof and is four storeys in height. The building has random coursed stone to the Brock Street elevation and a more formal ashlar gable elevation to Mary Street with a pediment to the upper gable.
- 1.2 The ground and first floor of the premises is used as a retail shop, currently vacant but recent used as a bedroom showroom. The remaining upper floor space has been used for informal storage in connection with the retail unit. Externally the retail unit has large oversized fascia running along both the Brock Street and Mary Street elevations. The fascia unfortunately spans over the lower part of the first floor windows to the Brock Street elevation.
- 1.3 To the west of the building is a three-storey property used as retail unit terminating with a bank on the corner of Penny Street. A narrow alley runs along the rear of the building which serves the application site and the adjacent retail unit. To the north is a low level building used as a restaurant and known as The Spaghetti House. A takeaway and public house lies on the eastern side of Mary Street. A public house, nightclub and retail units lie on the south side of Brock Street facing the site.

2.0 The Proposal

- 2.1 The application seeks to redevelop/restore the entire Oddfellows Hall building. The proposals will change the use of the upper floors of the building into student accommodation comprising 35 residential studios, this work will include the introduction of a new floor within the open hall and the creation of an additional floor within the roof space with accommodation being provide within new large dormers to front and rear. The upper floors will be accessed via a new entrance, reinstating the location of an original opening centrally on the Mary Street gable.

- 2.2 The ground floor will remain primarily as a large single retail units (204 sq.m) with the part of the north east section of the building made over to provide a staircase and lift to serve the upper floor, a building manager's office and a cycle store for 10 cycles. Access doors to the rear are retained and provide access to the rear alley and refuse storage area for both the retail unit and the upper floor accommodation.
- 2.3 The current oversized fascias are to be removed and a new contemporary shop frontage introduced which incorporates reduced fascias exposing the cills to the first floor windows. New timber sash windows are to be introduced to the existing and revised openings on all three elevations. In seeking to introduce a new floor at third floor level, the upper floor window openings to the Brock Street elevation and rear elevation are raised by approximately 500mm reusing the cills and quoins. A fourth floor is created within the existing roof space. To develop sufficient headroom, large dormers are introduced to both the front and rear roof slopes. The rear dormer runs in one across most of the roof slope. The dormer to the Brock Street elevation is split into two separate constructions. The dormers are of a contemporary design using grey aluminium framing and an angle front face which is predominantly glazed. The cheeks of the dormers are clad in grey aluminium. The dormers finish short of the face of the building allowing slate roofing to be maintained across the front and rear roof slope; similarly the original roof slope is retained across the ridge line and sides of the dormers.
- 2.4 Internally, the proposal seeks to introduce nine studio units to the 1st, 2nd and 3rd floors with 8 units to the top floor. The studio units are all wholly self-contained comprising a living area and en-suite. The living area includes a double bed space, kitchen dining area and study area. The studios are accessed via a central corridor leading from the communal stairwell and lift. The floor area of the studios vary from 20sq.m to 24sq.m. The studios to the upper floor within the roof space employ a slightly different layout utilising the large areas of glazing developed in the dormers.

3.0 Site History

- 3.1 The site has a limited planning history all relating to the use of the ground floor as a retail unit. The application date back to the 1980's and all relate to replacement signage.

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objections subject to conditions (Construction Method Statement (CMS), development in accordance with CMS, off-site highway works, cycle parking (10No.), reinstatement of footway to Brock St and Mary St following completion). The off-site highway works are needed to improve the pedestrian footway and would aim to realign the kerb line and lay new paving.
Environmental Health	The site is located in close proximity to potential noise and odour sources which may significantly affect occupants. A condition requiring a noise and odour assessment (prior to development) will be needed and subject to its findings, mitigation measures incorporated into the development to provide mechanical ventilation. A condition regarding hours of construction is necessary too. The site lies outside the air quality management area – no objections in respect of air pollutants.
Conservation Officer	Acceptable subject to conditions regarding stone detailing to be agreed, stone cleaning to be agreed, building recording to be undertaken, signage detail to be agreed and door details to be agreed. In general terms this will enhance the building which is not listed but in the Conservation Area. Signage removal, reinstatement of windows and alterations to end elevation are acceptable. Given the height of the building and the width of the highway, the introduction of the dormer at roof level (set back from the roof edge) will not detract from the setting of the Conservation Area and will create an additional architectural detail for the building with views across the city.
Lancashire Constabulary	The site is located within the city centre close to a number of public houses, night clubs and other night-time operations. A number of incidents have been reported in

	the immediate area close to the neighbouring night clubs. Overall the development raises little concerns but would suggest the access control and CCTV is considered in respect of the main entrance into the development on Mary Street.
Car Parking Officer	The occupiers of the property will not be eligible for residents parking permits for the Lancaster City Council Residents Parking Scheme Central Zone A
Lancaster Civic Society	Generally welcomes the restoration of the exterior of the Oddfellows Hall and bringing the whole building back into active use. The loss of the large fascia and the restoration of the Brock Street detailing is supported. Some concerns over the detailing of the submission, particularly the new entrance door detail onto Mary Street. The original opening had a pediment above which can still be seen in part above the current fascia. This should be reflected in the new scheme rather than the proposed archway. The new dormers within the roof are considered to be out of scale with the remaining building.
Strategic Housing	No comments received with the consultation period
LUSU Housing	No comments received with the consultation period
University of Cumbria	No comments received with the consultation period

5.0 Neighbour Representations

5.1 Two letters have been received in respect of the proposal. One from Councillor Brookes and one from a nearby ground floor commercial property. Concerns have been raised in respect of the development.

- Concerns over the construction period and effects on the ability for the existing commercial units to be serviced.
- The shop has numbers frequent deliveries both to and from the shop particularly at Christmas and Valentine's Day. The shop needs deliveries to be close by and the development could affect this operation.
- The external flower displays could be rendered unsellable from dust and dirt created by the development of the site.
- The loading bay is of vital importance to the servicing of the commercial unit on this part of Brock Street. Reduction of the loading bay to facilitate footpath improvements should be resisted.
- Concerns over the increase in pedestrian movements associated by the development of the site and the weakness of the footpath network at the junction of Brock Street and Mary Street. Considered to be a need to widen the footway on Mary Street opposite the proposed entrance to the units.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework
 Paragraphs 7, 14 and 17 (Sustainable Development and Core Principles)
 Paragraphs 50- 51 (Choice of Homes)
 Paragraphs 56 – 57 (Requiring Good Design)
 Paragraphs 64 (Requiring good design)
 Paragraphs 128-129, 131, 137 and 141 (Conserving and enhancing the historic environment)

Lancaster District Local Plan – saved policies
 H12 (Standards for New Housing)
 H22 (Houses in Multiple Occupancy)
 E35 (Development in Conservation Areas)
 E38 (New Build in Conservation Areas)
 E39 Alterations and Extensions)

Lancaster Core Strategy – policies
 SC1 (Sustainable development)
 SC2 (Urban Concentration)
 SC4 (Meeting the Districts Housing Requirements)
 SC5 (Good Design)
 E1 (Environmental Capital)

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.

Development Management DPD

DM31: Development affecting conservation areas

DM32: The setting of Designated Heritage Assets

DM35: Key Design Principles

DM 46 Accommodation for Students

Appendix E – Purpose Built and Converted Student accommodation

Appendix F – Studio Accommodation

7.0 Comment and Analysis

7.1 Background

7.1.1 The application site has historically been used as a retail showroom for bedroom furniture, previously Benson for Beds. Following the closure of the retail premises the property has remained vacant and is suffering from a general lack of maintenance as well as a number of historic, unsympathetic changes to the external elevations, the most prominent of which are the oversized fascia sign which runs across and partly-obscures the first floor windows.

7.1.2 The main planning issues to be assessed in the determination of this application are as follows:

1. Whether the principle of the development for student accommodation on the site complies with local and national planning policy.
2. Whether the proposal has considered the significance and the impacts upon Heritage Assets and whether the design of the development subsequently respects the character and fabric of the area.
3. Whether the relationship with neighbouring properties is acceptable.
4. Whether the development provides an acceptable standard and form of accommodation for future occupants, including appropriate provision for refuse and cycle storage and means of access in compliance with local and national planning policy.

7.2 Principle of Development

7.2.1 Taking the policies listed above into account, it is contended that the development will essentially meet the requirements of these policies for the following reasons:-

- (a) The proposed building is located in a highly sustainable location in Lancaster City Centre which has good transport links (bus and rail) to Lancaster University and University of Cumbria Campuses and the surrounding areas;
- (b) The principle of developing on this brownfield site for student accommodation could positively contribute to the vitality of the city centre and the appearance of the Lancaster Conservation Area; and,
- (c) The provision of dedicated student accommodation will positively contribute to meeting the District's housing needs. The Core Strategy and the Development Management DPD identifies students as an important component of the housing market, stating that the City Council will seek to address their needs through the Councils housing strategy. Purpose build student accommodation could also help safeguard the stock of existing private sector housing which might otherwise be occupied by students.

7.2.2 The Development Management DPD recognises the steady increase in student numbers and the need to provide accommodation. Off-campus accommodation continues to be a popular choice for many students. The centre of Lancaster is, in principle an acceptable location for new student accommodation recognising the benefits such development can bring and its accessibility.

7.3 Design and Impact upon Heritage Assets

- 7.3.1 Whilst the NPPF places a strong emphasis on the presumption in favour of sustainable development and places significant weight on the need to support sustainable economic growth, it highlights that sustainable development has three roles; an economic role; a social role and an environmental role and that these roles are mutually dependent. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environmental, as well as in people's quality in life. The Core Strategy equally places a strong emphasis on ensuring new development achieves quality in design (policy SC5), is integrated with the character of the townscape (policy SC1) and protects and enhances conservation areas/listed buildings (policy E1). The emerging Development Management policies DM31, DM32 and DM35 confirm this position.
- 7.3.2 The site occupies a prominent position in the city centre within the heart of the Lancaster Conservation Area. The building is currently standing vacant and is suffering from routine maintenance and insensitive historical works to the building namely the introduction of oversized fascia along both the Brock Street and Mary Street frontages. The building was built in 1844 as the Oddfellows Hall and it played a notable role in the development of Lancaster and is identified as a Key Townscape feature in the Lancaster District Local Plan.
- 7.3.3 Policy DM31 of the Development Management DPD seeks only to support development within Conservation Areas that respect the character of the surrounding built form and its wider setting. The Conservation Officer is supportive of the scheme, recognising the proposed restoration of the building, the introduction of a shop frontage of more appropriate proportions and the provision of a long term viable use for the building. Whilst generally supportive, concerns have been raised by Lancaster Civic Society over the introduction of large dormers into the roof slope and the re-instatement of the entrance within the gable of a style that does not reflect the historical form. A simpler door arrangement with pediment is considered to be the original form of entrance, the pediment still being partially visible above the oversized fascia.
- 7.3.4 The introduction of dormers whilst large scale are considered to be a sympathetic modern intervention into the building. The dormers are designed in a contemporary form with the use of an aluminium dark grey cladding system and large format windows. The design is not one which seeks to mimic a traditional dormer but one which is clearly a modern intervention within the building. The scale of the building and its position within the street scene is such that it is considered that the dormers whilst viable will not be unduly prominent either in respect of the massing and form of the Oddfellows Hall or the wider Conservation Area.
- 7.3.5 The entrance door arrangements are of some concern, the proposal seeks to introduce a larger Regency style doorway with an archway and ornate fanlight. It is considered that the development should seek to reflect the original opening with the possible exposure of the original pediment (if still retained intact) and construction of a replacement and a simpler door arrangement reflecting the period of the building. The agent has been approached with a view to redesigning the entrance door, it is anticipated that amended plans will be available in time for the committee meeting.
- 7.3.6 The submission scheme lacks some detailing in respect of the new shop frontage/fascia along with the new dormers. The stone to the property is to be cleaned, repointed and new infill stone walling undertaken which is acceptable in principle, precise details of this are not provided and will need to be addressed by condition.

7.4 Standard of Accommodation

- 7.4.1 The development is seeking student accommodation for a total of 35 students. All the accommodation is being provided in the form of self-contained studio units which provide a single large living space and a separate en-suite. The size of the units vary from 20- 24 sq.m.
- 7.4.2 The Development Plan has sought to establish suitable standards for student accommodation and this has now been formalised within Appendix F (Studio Accommodation) of the Development Management DPD and Policy DM46. The policy supports the provision of student accommodation which meets the criteria set out in the Appendix. The appendix defines minimum floor areas for studios, along with a list of items/furniture which should be capable of fitting within the studio. The application has designed rooms and layouts which all meet the minimum requirements both in spatial terms and provision of defined furniture and fittings.

- 7.4.3 The rooms are mainly set out in a square format which to a degree does not help to define sleeping and living space but it is considered that the studios meet the spatial standards and are all greater in floor area than the minimum requirements, thus aiding circulation and the general 'feel' of the space for daily living. The upper floor loft studios have a slightly different layout making use of the large glazed areas provided by the contemporary dormer construction.
- 7.4.4 In addition, the studios are to be supported by the provision of an accessible cycle store on the ground floor at the rear of the building together with a refuse storage area and building manager office. The studios are considered to accord with Policy DM46 and its supporting Appendix F.
- 7.4.5 In question is the level of amenity to be enjoyed by the occupants of the studios due to the building's proximity to both noise and odour producing enterprises. Whilst it has to be acknowledged that the scheme is located within the city centre where disturbance and higher noise levels are anticipated, the site is in a location immediately alongside a take away and a restaurant as well as public house and nightclub close by all of which have late night opening. A lay-by immediately to the front of the property is also used as a taxi rank in the evening and late night hours.
- 7.4.6 This relationship has raised some concern with Environmental Health with a resultant requirement for a Noise and Odour Assessment to be undertaken. The timing of such an assessment has been debated and it is concluded that as the principle of student accommodation is acceptable it would be appropriate to condition the Assessment to be undertaken following the grant of consent but before any development is undertaken. This approach has been adopted for two reasons, the grant of consent gives the developer some certainty in commissioning the Assessments at some expense and; if required, the introduction of a mechanical ventilation scheme throughout the building whilst an additional expense to the developer is considered to be capable of being introduced within the building without undue impact on either the interior layout or the exterior of the building.
- 7.5 Other Matters
- 7.5.1 Highways improvement – In responding, County Highways have considered that the development will lead to an increase in footfall from the proposal in the immediate area. The development is seeking to introduce a new access to serve the upper floor accommodation on off the Mary Street frontage. The pavement in this area is narrow and it is considered that some localised works in this area will improve pedestrian safety for residents emerging from the development. The works would entails a modification of the kerb line to increase the pavement width and provision of textured paving to help alert pedestrian of the crossing point. These works would be secured by way of a Section 278 Agreement under the Highways Act and implemented prior to occupation of the development.
- 7.5.2 Building recording – as indicated earlier in the report the building whilst not listed is considered to be a Key Townscape building and has historical links with the development of Lancaster. The proposed developed will significantly change the internal arrangement of the building with a new staircase, introduction of a new floor within the hall space and the loss of some of the historic fabric. It is considered that these elements are of local significance and a permanent record of the building (photographic and descriptive – Level 2) should be undertaken before works are commenced.

8.0 Planning Obligations

8.1 N/A

9.0 Conclusions

9.1 Overall, it is considered that development of the site provides an opportunity to both help safeguard the loss of family housing stock to student use and seeing the renovation and long term viability of a vacant building within the Lancaster Conservation Area.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard 3year time limit

2. Development to be undertaken in accordance with the approved plans
3. Amended plans
4. Student use only
5. Head leases scheme or similar
6. Security systems and site management to be agreed
7. Construction Management and Method Statement (CMMS) to be agreed
8. Works to be undertaken in accordance with the CMMS
9. No on-site work until agreement of S278 works
10. No occupation until agreed S278 work being implemented
11. Works on or close to the highway boundary to be agreed
12. Cycle parking to be implemented and maintained
13. Precise details of the following to be agreed: -
 - Stone cleaning
 - Stone detailing (including samples)
 - Pointing
 - Dormer construction and finishes
 - Shop frontage and fascia
14. Refuse store to be provided and retained
15. Level 2 Building Recording to be undertaken before works commence
16. Hours of construction
17. Noise and odour assessment to be undertaken prior to commencement and mitigation measures (if any required) implemented.
- 18.. Building signage to be agreed

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:

The proposal complies with the relevant policies and provisions of the Development Plan and on consideration of the merits of this particular case, as presented in full in this report, there are no material considerations which otherwise outweigh these findings.

The local planning authority has proactively worked with the agent in requesting further supporting information which has now positively influenced the proposal and has secured a development that now accords 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.