

<b>Agenda Item</b> A10	<b>Committee Date</b> 2 March 2015	<b>Application Number</b> 14/01376/LB
<b>Application Site</b> Squires Snooker Club Penny Street Lancaster Lancashire	<b>Proposal</b> Listed Building Application for demolition of existing building and erection of a 5 storey building comprising retail (use classes A1 and A2) at ground floor and student accommodation to the upper floors including 6 cluster flats and 10 studio apartments	
<b>Name of Applicant</b> Mr Trevor Bargh	<b>Name of Agent</b> Sean Smith	
<b>Decision Target Date</b> 23 February 2015	<b>Reason For Delay</b> N/A	
<b>Case Officer</b>	Mr Andrew Drummond	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

## **1.0 The Site and its Surroundings**

- 1.1 The application site is situated at the southern end of the city centre close to the southern vehicular gateway to Lancaster City Centre. The site is bordered by the A6 to the east, Henry Street to the north and west and the Listed building of Penny Street Bridge Hotel to the south. It currently accommodates a 2 storey snooker hall constructed of a mix of brick, metal cladding and glazed masonry block walls under a pitched roof covered with profiled metal or a flat roof with an asphalt covering. The frontage with Penny Street is partially recessed to provide a drive in – drive out drop-off arrangement and many of the first floor windows have been boarded over.
- 1.2 The site is located in Lancaster Conservation Area, and is adjacent to Penny Street Bridge Hotel and opposite 103 and 105 Penny Street and Alexandra Hall, all of which are Listed. It also falls within Lancaster's Air Quality Management Area.

## **2.0 The Proposal**

- 2.1 The application seeks Listed Building Consent for 2 elements – demolition of the existing 2 storey building and erection of a new mixed use scheme over 5 storeys as both the existing and proposed buildings are physically attached to the adjacent Listed building known as Penny Street Bridge Hotel. The replacement building would comprise retail on the ground floor (A1 or A2 uses) with an entrance lobby for the upper floors fronting Penny Street and servicing via Henry Street to the rear with student accommodation above. The student accommodation would provide 60 bedrooms and 10 studios. The building would be constructed of full height glazing to the retail frontage, ashlar or split faced stone panelling to the walls on the first, second and third floors and a grey rainscreen to the walls of the recessed fourth floor. The windows to the upper floors are constructed with a powder coated aluminium frames, some finished with an aluminium screen, others with a glazed balcony.

## **3.0 Site History**

- 3.1 The planning history is as reported on the accompanying full application and there are not heritage-related applications that are of relevance.

## **4.0 Consultation Responses**

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

<b>Consultee</b>	<b>Response</b>
<b>English Heritage</b>	The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.
<b>Conservation</b>	No objection subject to conditions relating to materials and detailing.
<b>County Archaeology</b>	No objection subject to a pre-commencement programme of archaeological work
<b>Civic Society</b>	Supportive of the removal of the existing building but concerned over the proposed elevational treatment of the Penny Street façade and the relationship of the roof on the adjacent hotel with the south facing elevation of the proposed top floor.

## **5.0 Neighbour Representations**

5.1 One letter of objection has been received raising the following concerns:

- Design is out of character with the area
- Height of the building is overbearing / result in lost views from existing residential properties
- Proximity of the building to existing residential properties would create overlooking
- More demand on the poor crossing facilities across Aldcliffe Road
- Light and noise pollution
- Risk to local residents' health due to site's contamination

## **6.0 Principal National and Development Plan Policies**

### **6.1 National Planning Policy Framework (NPPF)**

The National Planning Policy Framework indicates that the purpose of the planning system is to contribute to the achievement of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development (**paragraph 14**). The following paragraphs of the NPPF are relevant to the determination of this proposal:

Paragraphs **129, 131, 132** and **135** - conservation

### **6.2 Core Strategy**

**E1** – Environmental capital

### **6.3 Development Management DPD (DM DPD)**

**DM32** and **33** – Development affecting heritage and non-designated heritage assets and their setting

## **7.0 Comment and Analysis**

7.1 The key material consideration in this case is the impact upon heritage assets, which can be subdivided into (i) The Conservation Area; (ii) Listed Buildings; and (iii) Archaeology.

### **7.2 The impact on heritage assets**

#### **7.2.1 Conservation Area**

This is an important gateway into the Lancaster Conservation Area and has been identified as an opportunity site in the adopted 2013 Lancaster Conservation Area Appraisal. The Appraisal specifically refers to the Y-shaped fork of King Street and Penny Street, stating that “this forms a strong node and an opportunity to accentuate the townscape with built form and public space. Unfortunately this space is dominated by traffic and poorly considered street furniture and the scale, quality and current condition of the Victorian development that faces this space (currently a KFC franchise) does not reflect its importance.”

The opportunity to enhance this site with good design in terms of built form and public realm is one which is welcomed. The Conservation Officer was involved in the pre-application discussions for this scheme and it is a scheme that in principle that the Conservation Team is comfortable with, subject to the details which can be conditioned. Getting the right external materials (including colours and finishes), drainage details (internal arrangements) and signage (that will need to be subject to a separate application) will be critical.

It is noted that the semi-circular piece of land immediately north of the building is to be redeveloped to incorporate a delivery bay within an area of built-up landscaping. Given the aforementioned statement made in the Conservation Area Appraisal about this area being dominated by traffic, this should be an opportunity to enhance this space as a quality piece of urban realm, and not characterised by the parking of vehicles.

#### 7.2.2 Listed Buildings

Whilst this is a large building, it is considered that the scale is appropriate in relation to the adjacent listed Penny Street Bridge Hotel. Care has been taken in the design to minimise the impact in terms of the interface with / connection to the adjacent Listed building, in particular the set-back ground floor entrance and recessed link up to the fourth floor (which leaves the corner mouldings and string course returns in-tact), as well as the set-back top-floor which leaves part of the Penny Street Bridge Hotel gable and roofscape visible.

In terms of the overall design of the building, it is one which is considered to be fairly low-key, but will still have presence and form an interesting addition to the streetscape, punctuating the end of Penny Street when looking south. The non-structural nature of the stone contrasts well with the adjacent building, but then the wide stone piers help tie the building to the ground. The use of different stone panels on the front and rear also add interest to the scheme. There is both a strong vertical and horizontal emphasis to this building, which works well with the adjacent Listed building which also demonstrates these characteristics. It is important that the rainwater goods are hidden within the building, as proposed, to protect the external appearance of the building.

#### 7.2.3 Archaeology

The County's Archaeologist has reviewed the application and advised that it would appear that the Roman Road which is thought to cross the site has a 'cordon sanitaire' (a barrier implemented to stop the spread of disease) between it and the cemetery that lay on both sides of the road. This means that surviving cemetery remains are likely to be limited to two corners of the site, one of which is more likely to have suffered damage from later medieval and post-medieval development. Consequently well-preserved archaeological remains considered to be of potential national significance are likely to be found only in a small part of the site, offering the potential for such an area to be developed in a manner that preservation in situ might be feasible. Other remains of a lesser significance, such as the road and later phases of the site, could be satisfactorily preserved by means of preservation by record (open-area archaeological excavation). The County Archaeologist is therefore able to recommend that the investigation of the site (archaeological evaluation and/or open-area excavation) be undertaken as a condition of planning permission, though it must be noted that this leaves the applicant taking much of the risk, as the nature, full extent and possible cost of the necessary archaeological works required post-evaluation will only be known at a late stage in the development process. Should areas of significance not prove possible to be preserved in situ then County's Archaeological Service would expect them to be completely excavated.

### **8.0 Planning Obligations**

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

### **9.0 Conclusions**

9.1 The application site in its current state does little to enhance the Conservation Area or the setting of nearby Listed buildings. In fact, it provides a poor impression of Lancaster when approaching the city from the south. This proposal has been worked up in conjunction with the Places Matter, Civic Society and the Local Planning Authority. This pre-application work has greatly assisted the applicant insofar as the submitted scheme has satisfactorily addressed Officer concerns raised and is acceptable subject to conditions.

## **Recommendation**

That Listed Building Consent **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development in accordance with approved plans – list
3. Materials (including finishes and colours) –
  - stone (including mortar, pointing and coursing);
  - windows and doors (including parking bays screens);
  - cladding;
  - shopfront glazing;
  - roof (including trims and soffits);
  - balcony floor surfacing; and
  - surfacing treatments
4. Details –
  - window and door setbacks;
  - internal rainwater details;
  - stone panel joint finishes;
  - floor edge trims;
  - roofing detail;
  - parapet detail; and
  - balustrade and balcony detail floor surfacing
5. Programme of archaeological work
6. Construction management plan
7. Reinstatement of public highway to County Council's standards
8. Hours of demolition, construction and fit-out, including associated deliveries (Mon to Fri 0800-1800 and Sat 0800-1400 only)
9. Contaminated land conditions

## **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 provided advice during the pre-application stage of the process in accordance with Paragraph 189 of the National Planning Policy Framework, and the applicant's subsequent proposal has taken that advice into account. As a result the local planning authority and the applicant have positively and proactively addressed the issues to enable permission to be granted.

## **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.