

Agenda Item A11	Committee Date 21 September 2015	Application Number 15/00807/FUL
Application Site 1- 3 High Street Lancaster Lancashire LA1 1LA	Proposal Installation of 6 replacement external doors and 2 replacement windows	
Name of Applicant Mr Tom Greenwood	Name of Agent N/A	
Decision Target Date 18 August 2015	Reason For Delay Committee Cycle	
Case Officer	Mrs Kim Ireland	
Departure	No	
Summary of Recommendation	Split decision – approval of the installation of two replacement windows and refusal of the installation of six replacement external doors.	

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, the property is in the ownership of Lancaster City Council, and as such the application must be determined by the Planning Committee.

1.0 The Site and its Surroundings

1.1 The property which forms the subject of this application relates to a three storey end terrace property that is Grade II listed, located on High Street in Lancaster. The surrounding area mainly consists of terrace and detached residential and commercial properties.

1.2 The site is un allocated in the Lancaster District Local Plan proposals map and is situated within the Lancaster Conservation Area.

2.0 The Proposal

2.1 The application proposes the installation of six replacement external doors and two replacement external windows. The proposed installation of two windows are to replace the second floor windows to the north and south elevations of the external staircase. The existing windows are non opening timber casement windows and the proposed windows are to be timber frames with louvre windows to the top half. The proposed installation of six doors are to replace the six doors to the ground, first and second floor of the eastern elevation. The existing doors are made up of painted softwood and the proposed doors are to be composite.

3.0 Site History

3.1 None

4.0 Consultation Responses

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

Consultee	Response
Conservation Officer	<p>Pre-application advice and a site visit was sought from the Conservation Officer, in which the use of upvc and composite windows and doors were discussed. The Conservation Officer on numerous occasions stated that the use of upvc and composite windows and doors would not be supported if applications were submitted. However alternatives such as upgrading the existing external timber doors with fire resistant paint and smoke seals, which would comply with fire regulations and would not require listed building consent would be acceptable.</p> <p>An objection was raised on the grounds that composite doors are not supported in a listed building, and we cannot be seen to be making exceptions for Council owned properties.</p>
Environmental Health Officer	No objections

5.0 Neighbour Representations

5.1 At the time of compiling this report no representations have been received.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraph 17 - 12 Core Principles

Paragraphs 67 and 68 – Requiring Good Design

Paragraphs 131 – 134 – Conserving and Enhancing the Historic Environment

6.2 Development Management DPD

DM30 – Development affecting Listed Buildings

DM31 – Development affecting Conservation Areas

DM35 – Key design principles

7.0 Comment and Analysis

7.1

- General Design and Impact upon Heritage Assets; and
- Impacts upon residential amenity

7.2 General Design and Impact upon Heritage Assets

The proposed installation of two replacement windows has been designed so that they are not out of character with the existing windows. The proposed replacement windows will not differ in appearance to the existing windows and therefore will not have a detrimental impact upon the listed building and conservation area.

The proposed installation of six replacement doors have not been designed to reflect that of the existing building and will not fit comfortably with the grade II listed building and the designated Lancaster Conservation area. The proposed installation of six replacement external doors will not sustain the significance of the heritage asset and therefore will be out of character and have a detrimental impact upon the listed building. It is thought to have an adverse impact to the setting of the Conservation Area.

7.3 Impacts upon Residential Amenity

The proposed development is not seen to have any adverse or detrimental impacts upon residential amenity. The property borders 5 High Street. However as the replacement doors are to the eastern

elevation and the replacement windows are to the northern and southern elevation are to be installed into an external staircase and not a habitable room, it is consequently not thought to have a detrimental impact upon the residential amenities.

8.0 Planning Obligations

8.1 Given the nature of the proposal there are no requirements for a legal obligation.

9.0 Conclusions

9.1 It is considered that the installation of two replacement windows are acceptable and can be granted for this element of the proposal. However the proposed installation of six replacement external doors have not been found acceptable in terms of design and built heritage conservation. However the Conservation Officer has worked proactively with the applicant, in which alternatives were discussed and could be supported. Unfortunately the applicant has not pursued the scheme that was discussed at pre-application stage and would be looked upon favourably and therefore the application is to be refused as we cannot be seen to be making exceptions for Council owned properties. In respect of these matters, it is not in compliance with the relevant Development Plan policies and guidance provided in the NPPF.

Recommendation

That the application is subject of a **split decision**:

That Planning Permission **BE GRANTED** to approve 2 replacement windows subject to the following conditions:

1. Standard 3 year timescale
2. Development to be carried out in accordance to approved plans
3. Details of the louvre windows to be submitted

But that Planning Permission **BE REFUSED** for the installation of 6 replacement external doors for the following reasons:

1. The proposed installation of six replacement external doors, by virtue of their inappropriate material, would have a detrimental impact upon the character and appearance of the listed buildings. Therefore the proposal is contrary to Policy DM30 of the Local Plan for Lancaster District 2011-2031 (Development Management DPD - Adopted 2014) and the provisions of Paragraph 17 of the NPPF, in particular the requirement to conserve heritage assets in a manner appropriate to their significance, and Paragraphs 132 and 134.

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

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

Lancaster City Council has made the decision in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council offers a pre-application service, aimed at positively influencing development proposals. Regrettably the applicant has failed to take advantage of this service and the resulting proposal is unacceptable for the reasons prescribed in the Notice. The applicant is encouraged to utilise the pre-application service prior to the submission of any future planning applications, in order to engage with the local planning authority to attempt to resolve the reasons for refusal.

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