

Agenda Item A7	Committee Date 11 January 2016	Application Number 15/01368/FUL
Application Site 5 and 6 Cable Street Lancaster Lancashire LA1 1HD	Proposal Demolition of the rear extension to no. 5 Cable Street, change of use of no. 5 Cable Street from a social club to student accommodation comprising 4 studios, 2 bed cluster flat and common rooms and erection of a part 2, 4 and 5 storey student accommodation building comprising 83 studios with a single storey link building and Relevant Demolition of an unlisted building (6 Cable Street) in Lancaster Conservation Area	
Name of Applicant Lancaster SPV Limited	Name of Agent Miss Emma-Lisa Shiells	
Decision Target Date 11 Feb 2016	Reason For Delay N/A	
Case Officer	Mr Andrew Drummond	
Departure	No	
Summary of Recommendation	Approval (subject to amended plans being received and no objection being raised by the Local Lead Flood Authority)	

1.0 The Site and its Surroundings

- 1.1 5 Cable Street is a 3 storey Georgian property facing onto Cable Street with traditional features, such as an ashlar stone façade, slate roof, 4-pane timber sash windows and gabled chimneys. The central doorway is accessed up 4 stone steps off Cable Street and has a pediment with a frieze, carried on engaged Tuscan columns. 6 Cable Street is physically attached to no.5, but different in style and height.
- 1.2 Number 5 is a Grade II Listed building, and the site as a whole falls within Lancaster Conservation Area and within the setting of other Grade II Listed buildings, most notably those also fronting Cable Street (nos. 1-3, 9, 11 Cable Street, 1 Water Street and the YMCA building on Damside Street) and the Grade I Lancaster Castle and The Priory. The whole site falls within Flood Zone 2 and the southern part of the site is within Lancaster's Air Quality Management Area.

2.0 The Proposal

- 2.1 The application seeks consent for 'Relevant Demolition' for the removal of 2 garage blocks and no.6 Cable Street (the single storey attached restaurant). It also seeks planning permission for the erection of a 5 storey building comprising student accommodation and the change of use of no.5 Cable Street to further student accommodation and ancillary facilities along with a single storey link connecting the 2 elements. In addition a single storey structure is proposed to store the bins, bicycles and plant.
- 2.2 There are 3 key elements proposed for demolition – the single storey restaurant at no.6 Cable Street, the single storey rear extension at no.5 and the 2 terraces of garages to the rear of the site.

Where these structures adjoin the boundary wall, the wall will be retained at its existing height subject to a structural assessment.

The Listed building would be converted to create a common room over 2 floors with 4 studios on the second floor and a 2 bedroom cluster flat within the roofspace. The new build would incorporate 84 studios, a laundrette and a staff office and kitchenette. It is proposed to use a mixed palette of materials for the elevations and roof, including rendered walls, glazing, stone cladding, standing seam metal cladding, dark grey window and door frames and slate. The link building would be constructed of a glazed frontage and predominantly a rendered rear wall though a narrow glazed section would be introduced against the Listed building. It would comprise the reception area for the converted Listed building and the new build element. The external space created by the demolition of no.6 Cable Street and also in part to the loss of the garage buildings would be utilised for bin and cycle storage, a plant room, circulation space for refuse and emergency vehicles, 1 disabled parking space and small pockets of soft landscaping.

3.0 Site History

3.1 With the exception of recent pre-application enquiries relating to the proposal, the most relevant and recent application was an outline application in 2000 for a residential development to the rear of the site in place of the garage blocks. It was refused on poor access (a long single track drive) and its poor relationship (back land development) with the retained buildings at 5 and 6 Cable Street:

Application Number	Proposal	Decision
00/00618/OUT	Outline application for demolition of garages and erection of block of four town houses	Refused

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection subject to conditions
Environment Agency	Standing Advice for Flood Zone 2 “more vulnerable” development is relevant, which relates to surface water management, access/evacuation, and floor levels.
United Utilities	No objection subject to conditions relating to surface water and foul drainage details
Local Lead Flood Authority	No comments received at the time of writing, although they have indicated verbally that there will be no objection – written confirmation to follow prior to Committee.
Historic England	No comments received at the time of writing.
Conservation	No objection subject to conditions relating to details and materials.
Greater Manchester Ecological Unit	No objection subject to conditions and an advice note relating to bats, drainage inceptors, lighting and landscaping
Environmental Health	No objection – no air quality mitigation measures required.
Police	Advice – recommend a series of security measures, including intercom system, locks on windows and doors, lighting, boundary treatment and gates
City Contract Services	Advice – the refuse capacity for the new flats is inadequate there needs to be space for 5 x 1100 litre Eurobins and 8 x 360 litre recycling bins as collection is fortnightly.
Property Services	Advice – the applicant should be advised that the occupiers of the property will not be eligible for residents parking permits for the Lancaster City Council Residents Parking Scheme – Central Zone A.
Civic Society	No objection. Welcome plans to return the Grade II listed building back into use and the lack of alteration to its historic frontage. The design of the new build to the rear is pleasing in that that there will be a variation in roof heights, though 84 studios is felt to be too many, compromising the rooms’ standards.

5.0 Neighbour Representations

5.1 No comments have been received during the statutory consultation period.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework

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:

Paragraph **17** – 12 core land-use planning principles

Paragraph **49** and **50** – housing

Paragraphs **56, 58** and **60** – good design

Paragraphs **131, 132** and **134** – heritage

6.2 Lancaster District Core Strategy

SC1 Sustainable development

SC2 Urban Concentration

SC4 Meeting housing requirements

SC5 Quality in design

6.3 Lancaster District Development Management DPD

DM30 Development affecting Listed buildings

DM31 Development affecting Conservation Areas

DM32 The Setting of designated heritage assets

DM35 Key design principles

DM37 Air quality management

DM38 Development and flood risk

DM39 Surface Water run-off

DM46 Student accommodation (including relevant appendices)

7.0 Comment and Analysis

7.1 The main planning considerations arising from this proposal are:

- The principle of student accommodation in the city centre
- The impact on heritage assets
- The impact on residential amenity to existing and prospective residents
- The design of the proposal
- The risk of flooding

7.2 The principle of student accommodation in the city centre

The use of the application site for student accommodation is acceptable in principle. It is situated in a central sustainable location, close to local services and facilities. It is very close to good bus routes to both the Bowerham Campus of the University of Cumbria and to Lancaster University. The need for student accommodation in the city centre is identified within the DM DPD and Policy DM46 sets out criteria by which proposals will be assessed.

7.3 The impact on heritage assets

7.3.1 The impact of converting 5 Cable Street

Conservation and Planning Officers are supportive of the scheme which will bring a significant Listed building back into use, and will restore and conserve much of its historic fabric. The most significant intervention will be at first floor where part of the rear floor area will be removed to allow for a glazed mezzanine and lightweight stair to be introduced into the communal areas. However, the chimney piece at first floor will remain so that the previous room can still be read. The ground floor has already been opened up through earlier interventions whilst the second floor is more intact. Overall, the proposal seeks to preserve the significance of the Listed building, so the minor harm that is proposed to the first floor is more than compensated for by the opening up of existing windows and

the benefit of bringing the Listed building back into use. A fuller assessment of the proposed conversion works are set out in the Committee report for the associated Listed Building Consent (15/01369/LB).

7.3.2 The impact on the demolition of no.6, the rear extension of no.5, and 2 terraces of garages, and the development at 5 Cable Street

The removal of the large flat roofed 1970s rear extension will enable more of the rear elevation to be revealed and restored, and can only be a positive step. The demolition of no.6 Cable Street, which is an early twentieth century garage with some nice detailing, would be regrettable. However, the scale of Number 6 is currently at odds with the remainder of the Cable Street frontage. On balance, demolition would enable the rest of the site to be used and consequently allow for the Listed building to be brought back into use and conserved. The light-touch single storey glazed link at ground floor level will connect the Listed building to a single storey reception/entrance. The glazing will allow the connection to be made whilst reducing the impact on the fabric of the Listed building, making the works reversible should the link be removed from the heritage asset in the future. Whilst the new student accommodation block will be a large structure, its massing and position have been carefully considered to minimise impact on the Listed building.

7.3.3 The setting of Lancaster Conservation Area, Grade I and Grade II Listed buildings

The massing of the new student accommodation block has also been carefully considered to minimise impact on other Listed buildings in the vicinity, including the Grade I Castle and Priory, as well as the impact on the wider Conservation Area. The site falls within a character area of Lancaster Conservation Area that contains warehouses, so the style of the building is considered appropriate to its setting. The roof has purposely been broken up to reflect the surrounding buildings with the heights being commensurate with the other warehouse style accommodation on the land between Cable Street and Damside Street. Conservation and Planning Officers are supportive of the proposed use of materials, though much of the detail will need to be conditioned to ensure that the finishes reflect the quality of the site's setting.

7.3.4 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Conservation Area or the setting of a Listed building, the Local Planning Authority must pay special attention to the desirability of preserving or enhancing the character or appearance of that area or the setting of the building. This is reiterated in policies DM30, DM31 and DM32, with the former setting out that new buildings within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

The application is supported by photomontages from key viewpoints. The proposal would be seen from Greyhound Bridge with the Castle and Priory forming an impressive backdrop. However, only the roof and a gable (north) end would be visible, viewed in the context of other warehouse styled buildings of a similar height, and therefore it is considered that the proposal would preserve the setting of these Grade I Listed buildings and the wider Conservation Area from this viewpoint. The other viewpoint where the proposal would clearly be visible is from the frontage of the bus station building. This close-up view of the proposal would be made more evident by demolition of no.6, but the new build element has been suitably designed and the palette of materials carefully considered to reduce the impact on no.5 (a Listed building) and views across the Conservation Area, so again in both contexts the settings are preserved. A viewpoint from New Road to the south west was also chosen due to its raised position. The proposal would not be visible from here due to the height of the properties facing onto Cable Street (a similar situation to other views from the south of the site other than the bus station building), so again the settings of the Conservation Area and the Listed buildings along Cable Street are preserved.

7.4 Residential Amenity

7.4.1 Separation distances

The site is constricted in nature due to the Listed building to its frontage, the curtilage Listed walls to the boundaries, its dimensions (long and narrow) and proximity of other properties. A number of the St John's Mews properties (nos.4 to 7) face the application site but some are set back at least 21.5m from the proposal, so exceed the Council's adopted separation distance of 21m (distance from facing windows both serving habitable rooms). Some of the other properties (nos. 1, 2, 3, 8 and part of 9) within the mews face onto each other, not towards the application site. However, the gable end of no.9 and nos.10 and 11 set 13.5m away from the proposal (in excess of the 12m adopted standard for a window serving a habitable room facing onto a blank wall). As such the windows have been angled to the studios facing these properties to preserve the amenity of both sets of residential units. A similar approach has been taken to the west facing windows of the proposal to preserve the amenity of the units behind nos. 1-3 Cable Street. The tall gable end of nos.26-32 The Millrace has no windows facing onto the application site so there are no implications on these properties. Linked to the issue of separation distances, the application has been submitted with information relating to overshadowing. The building height has been carefully considered to protect the amenity of neighbouring residents and the sunlight assessment concludes that it achieves this.

7.4.2 Space standards and outlook

The proposed studios vary in size across the development. The 4 proposed studios in the Listed building would be 16, 18, 19 and 23.5 sq.m in area, so 2 of these fail to meet the 19sq.m adopted standard for rooms of this type. The 2 bedrooms in the cluster flat are both 8.75sq.m, which is just below the 9sq.m adopted standard. However, all 6 units are within a Listed building and the level of intervention required for the units to meet the required standards would be unacceptable in heritage terms. Furthermore, the cluster flat provides a generous shared living room/kitchen and a good sized shared bathroom, so this compensates in part for the minor under-sizing of the bedrooms. The head height in these rooms within the roofspace are sufficient though the level of the proposed rooflights is deemed too high to allow for a sufficient outlook. Amended plans are awaited in this regard. The studios are even more constrained by the Listed building given the presence of existing staircases and window openings. They also require lobbies for fire safety purposes. Only one is significantly under the required standard and given that the conversion is seeking an alternative and viable use for the Listed building this is considered to outweigh the non-compliance of the space standards for these 2 units in this instance.

7.4.3 The new build proposes studios range from 19 sq.m to 25 sq.m, so they all meet the adopted space requirements. However, the outlook from the ground floor units is constrained by the Listed boundary wall and therefore 18 ground floor studios have an outlook of between 2m and 8m. This equates to 20% of the rooms falling below the adopted standard for outlook, and this therefore needs careful consideration. During the determination period it has been negotiated to move the plant room into one of the studios resulting in the loss of one unit. The bin store has also been relocated and reconfigured. This has increased the outlook, so now no unit has an outlook of less than 4m. Furthermore, with the exception of 5 studios, there is an open view beyond the boundary wall for a distance of at least 12m. Therefore it is considered that subject to receiving amended plans to relocate the cycle storage, the outlook is severely compromised on 5.5% of the studios, which on balance is considered acceptable given that the development as a whole seeks to bring No.5 back into use, after being left empty for about 20 years, in a manner that is sensitive to its significance.

7.4.4 Air quality

An air quality assessment has been submitted with the application, which has been reviewed by Environmental Health. They have concluded that no mitigation measures are required. However, due to the level of demolition and ground works required to facilitate the proposal, it is appropriate to protect local residents from the dust that is likely to be generated during these processes. Dust control measures should be incorporated into the Construction Management Scheme. It is also important that the asbestos sheets that form the roofs of the 2 terraces of garages are removed in an appropriate manner. Such details should be conditioned along with contaminated land matters, given the site has been used for the storage of vehicles (the 2 terraces of garages and the historic use of no.6 as a garage).

7.4.5 Noise

The application site is tightly surrounded by existing residential uses. Therefore it is essential that their amenity is protected during the demolition and construction phases of development. A

condition relating to the hours of work is deemed appropriate. There is also the issue of the amenity of future occupiers of the studios, especially given the Listed building fronts the city's gyratory and the bus station opposite. In particular, the living environment of the 2 proposed second floor studios that are to the front of no.5 need to be protected to ensure that they are not adversely impacted by its environment. Any verbal update from Environmental Health will be provided at Committee, but it is not envisaged that this would result in a significant change to the proposal as suitable mitigation measures, if required, could be conditioned.

7.5 Design and scale of the proposal

7.5.1 The design of the building has evolved during the pre-application discussions, especially in terms of the height, ridge line and use of materials on the new built element, and its siting in relation to the Listed building. The area is characterised by buildings with broken ridges, reflecting the area's history as set out in the Lancaster Conservation Area Appraisal. The proposal also reflects the palette of materials that are clearly on view on neighbouring properties – stone, render and slate – with elements of cladding and glazing that are evident on other buildings in the local area. The main section of the new build is set back by 12m from the Listed building, to give breathing space around the heritage asset, but also to allow sufficient outlook from the studios on the second floor of no.5. The only element that is attached to the Listed building is a lightweight, predominantly glazed link that would accommodate the lobby and reception area for the complex as a whole. Internal access from this space can be gained to both the Listed building and new build. The adjacent new 2 storey element would also have a flat roof but be more solid in appearance with an emphasis on its stone construction. This would house the plant room and the staff office and kitchenette at ground floor, and 2 studios at first floor.

7.5.2 The main section of the new build is 4 and 5 storeys in height, with the roofspace utilised for additional residential accommodation. The elevations have a solid appearance with the use of stone framing the more visible elevations. Small projections have been introduced to provide shadow lines which will animate the long east and west elevations. Likewise the expanse of the slate roof is broken with occasional inset dormer windows. These window frames and the walls of the insets must have grey frames to match the slate so they animate the roof but do not stand out in a detrimental way. The new build also has 2 other forms of fenestration – standard windows that are flush with the elevation and angled windows to improve outlook and prevent overlooking. The latter is not a feature that is found on the surrounding buildings but is a solution that has been used on other important city centre sites, such as Squires Snooker Hall. It is an acceptable approach, maintaining an appropriate solid to void ratio along the key elevations. Overall the building has been well designed, reacting appropriately to its surroundings by protecting amenity and preserving the setting of the numerous heritage assets.

7.6 The risk of flooding

7.6.1 The site falls within Flood Zone 2 and as such the application was submitted with a Flood Risk Assessment. The Environment Agency has confirmed that they do not wish to comment on this application specifically, but refers the Local Planning Authority to their Standing Advice for “more vulnerable” development in Flood Zones 2, which relates to surface water management, access/evacuation, and floor levels. The Local Lead Flood Authority were also consulted and they have advised that they are currently reviewing the submission and are very unlikely to object, subject to conditions relating to finished floor level as shown on the plans and stated in the submitted Flood Risk Assessment and the provision of a sustainable surface water drainage scheme. A verbal update will be provided at the meeting.

7.7 Other Matters

7.7.1 The Highway Authority confirmed that the number of cycle spaces proposed meets with their requirements, though City Contract Services has advised that more space is required for refuse. The provision of these stores can be conditioned. Due to the closing up of one access and the creation of another, demolition of a property that fronts the public highway and the infilling of the existing barrel drop, there are a number of small scale, off site highway works required to ensure that the highway safety is not jeopardised. These works can be conditioned.

7.7.2 All 5 buildings were inspected. No bats or signs of bats were found in any of the buildings during the survey. A dusk emergence survey was carried out on nos. 5 and 6 Cable Street followed by a dawn re-entry survey. No bats were seen to emerge from the buildings during the dusk survey and no bats were seen to re-enter the buildings during the dawn re-entry survey. Only a low number of

Common Pipistrelle bats were recorded foraging and commuting around adjacent buildings during the surveys. In conclusion the site is considered unlikely to support roosting bats and no further bat surveys are therefore considered necessary. An informative is recommended to advise on what to do if bats were to be found during works, and a condition required regarding biodiversity enhancements (lighting, planting and bird/bat boxes). A further condition is suggested relating to drainage interceptor to prevent contaminants from the site entering the surface drainage system, and finding their way into the River Lune Biological Heritage Site (and Site of Special Scientific Interest, Special Protection Area, Special Area of Conservation and Ramsar Site downstream).

8.0 Planning Obligations

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

9.0 Conclusions

9.1 The scheme has been subject to detailed (level 2) pre-application advice and 2 follow up meetings, the second of which was a site meeting in order to inspect the interior of no.5. The result of this background work is that the application has predominantly been submitted in a form that is deemed acceptable from planning and heritage perspectives. The recommendation is therefore a positive one, subject to no objections being raised by the Local Lead Flood Authority, and amended plans being received in relation to cycle storage and rooflights.

Recommendation

Subject to no objections being raised by the Local Lead Flood Authority, and amended plans being received in relation to cycle storage and rooflights, that Planning Permission and consent for Relevant Demolition **BE GRANTED** subject to the following conditions:

1. Standard 3 year timescale
2. Development in accordance with approved plans
3. Construction Management Scheme – including wheel cleaning, dust control, parking, storage of equipment/materials/waste (pre-demolition)
4. Contamination, including asbestos (pre-demolition)
5. Building recording of nos. 5 and 6 (pre-demolition)
6. Surface water drainage scheme, including interceptors (pre-construction)
7. Foul drainage scheme (pre-construction)
8. Flood evacuation procedure (pre-construction above ground level)
9. Materials – details of all elevational, rainwater goods, roof and surface materials required (pre-construction above ground level)
10. Security measures, including lighting (pre-construction above ground level)
11. Landscaping, including bird/bat boxes (pre-occupation)
12. Making good the highway to adoptable standards post demolition of no.6, closure of the existing access and the infilling of the barrel drop (pre-occupation)
13. Refuse and cycle storage facilities (pre-occupation)
14. Finish floor level as set out on the plans and in the FRA
15. Noise mitigation measures (subject to confirmation from Environmental Health)
16. Hours of demolition/construction/fit-out, including deliveries – 0800-1800 Monday to Friday, and 0800-1400 Saturday only
Advice note – parking Zone A

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 recommendation 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 recommendation 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.

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