

Agenda Item A15	Committee Date 27 June 2016	Application Number 16/00555/LB
Application Site 15 Middleton Road Heysham Morecambe Lancashire	Proposal Listed building application for removal of existing ground floor floorboards and replace with solid floor construction with under-floor heating and removal of part chimney breast in first floor bathroom	
Name of Applicant Mr Stuart Bateson	Name of Agent Mr David Shepherd	
Decision Target Date 27 June 2016	Reason For Delay N/A	
Case Officer	Mrs Kim Ireland	
Departure	No	
Summary of Recommendation	Approval	

(i) **Procedural Matters**

This application would normally be dealt with under the Scheme of Delegation. However the applicant is a City Councillor, and as such the application must be determined by Planning Committee.

1.0 The Site and its Surroundings

1.1 The property which forms the subject of this application relates to a two storey detached corner property that is Grade II listed, located on Middleton Road in Heysham. The surrounding area mainly consists of two and three storey residential properties with a commercial property opposite the application site.

1.2 The site is unallocated within the Lancaster District Local Plan proposals map.

2.0 The Proposal

2.1 The application proposes to remove the existing ground floor floorboards and replace with a solid floor construction with under-floor heating pipes and remove part of the chimney breast in the first floor bathroom.

3.0 Site History

3.1 The most recent application relates to the approval for refurbishment works to the property.

Application Number	Proposal	Decision
15/01512/LB	Listed Building Application for the new window arrangement on the south elevation, installation of a flue, re-installment of chimney pots to existing stacks, installation of double sided fireplace including the removal of the back of the fireplace, and removal of	Permitted

	internal walls with the insertion of steel beams and relocation of internal doors on the ground floor	
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4.0 Consultation Responses

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

Consultee	Response
Parish Council	No comments at the time of compiling this report.
Conservation Officer	No objections

5.0 Principal National and Development Plan Policies

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:

5.1 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

5.2 Development Management DPD

DM30 – Development affecting Listed Buildings
DM35 – Key design principles

6.0 Comment and Analysis

6.1 The main issue on this Listed Building submission relates to design and heritage impact.

6.2 General Design and Impact upon Heritage Assets

In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting. This is reiterated by policy DM30.

The proposed existing ground floor floorboards over the years have been damaged and cross cut to install heating pipes/electrics and other services and therefore they hold little architectural merit or significance. Consequently the removal of the ground floor floorboards to replace with a solid floor construction with under floor heating pipes is not thought to have a detrimental impact upon the listed building. The proposed removal of part of the chimney breast in the first floor bathroom, is not considered to impact or unduly harm the architectural significance of the listed building.

7.0 Planning Obligations

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

8.0 Conclusions

8.1 The proposed removal of existing ground floor floorboards and replace with solid floor construction with under-floor heating and removal of part chimney breast in first floor bathroom have been found acceptable in terms of design and built heritage conservation. In respect of these matters, it is in compliance with the relevant Development Plan policies and guidance provided in the NPPF.

Recommendation

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

1. Standard 3 year timescale
2. Development to be carried out in accordance to approved plans

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 made 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