

<b>Agenda Item</b> A7	<b>Committee Date</b> 22 August 2016	<b>Application Number</b> 16/00578/FUL
<b>Application Site</b> Rear Of Pleasureland Marine Road Central Morecambe Lancashire	<b>Proposal</b> Erection of a two storey indoor trampoline park with associated landscaping and parking and extension of terrace to rear of Pleasureland	
<b>Name of Applicant</b> Mr Solomon Reader	<b>Name of Agent</b> Mr Seb Salisbury	
<b>Decision Target Date</b> Extension of time agreed until 26 August 2016	<b>Reason For Delay</b> Awaiting amended plans	
<b>Case Officer</b>	Mrs Eleanor Fawcett	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval	

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

- 1.1 The site comprises a large private car park located to the rear of properties which front onto Marine Road Central, approximately 200 metres to the west of the main town centre area of Morecambe, and part of the Pleasureland building, which is an amusement arcade. The car park is accessed from Northumberland Street to the east and is located adjacent to the Morecambe Conservation Area, which covers the buildings fronting onto both Marine Road Central and Northumberland Street.
- 1.2 A number of large buildings, which face towards the seafront, back onto the site, including Winter Gardens (a Grade II\* Listed building), which adjoins Pleasureland. These buildings are mainly two and three storey, although part of the rear of the Winter Gardens is approximately twice the height of the Pleasureland building. To the east of the site is a terrace of three storey properties, which front onto Northumberland Street. These contain a mix of uses including residential, offices and a public house. To the south and south east are Council-owned car parks which are adjacent to the Festival Market and accessed from Central Drive.
- 1.3 The site lies within Morecambe Town Centre boundary, is a Regeneration Priority Area and is within the Morecambe Area Action Plan area.

## **2.0 The Proposal**

- 2.1 The main part of the proposal relates to the erection of a large building, to the north east of the car park, to be used as a trampoline park. It is proposed to be sited approximately 11 metres from the rear of the Winter Gardens and 6.5 metres from the boundary with the properties fronting onto Northumberland Street. The building would measure approximately 48 metres by 50 metres and have an eaves height of 5.9 metres and a ridge height of 8.9 metres. It is proposed to be finished with a cladding system in varying colours of blue, and possibly grey, and would have a hipped dark grey profiled metal sheet roof. Improved pedestrian links through the car park are also proposed, in addition to an area to the west of the building to include seating and bike stands. The land between the building and the boundary with the properties on Northumberland Street would be used as an external storage area and would have a three metre wide access at both the northern and southern ends.

2.2 An extension to the existing terrace at the rear of Pleasureland is also proposed and would include a ramp to allow for disabled access. The usable area of terrace is proposed to be extended from 1.9 metres to a depth of 5.9 metres. Clarification has been sought with regards to the proposed materials and elevation plans showing any proposed balustrade.

### **3.0 Site History**

3.1 The only relevant history, on the car park element of the site, relates to a planning application for the change of use of part of this for car boot sales on Saturdays (14/00262/CU), which was approved in 2014, and the erection of a foodstore in 1995 (95/00058/FUL). The latter was proposed in a similar location to the building on the current application, but had a smaller footprint. It was refused for the following reasons:

- The development would be contrary to the Morecambe and Heysham Local Plan and the associated Development Brief covering the area. The proposal would undermine the comprehensive development scheme for the Central Promenade Area by bringing in a significant food retailing element into part of the site earmarked for supporting visitor attractions and result in an overall reduction in the amount of public off-street parking potentially available in the site.
- The development would prejudice restoration proposals for the Winter Gardens, a Grade II\* Listed Building, which occupies land immediately north of the site.
- The increased supply of convenience retail floorspace would be likely to affect adversely the vitality and viability of the older part of the town centre of Morecambe.

3.2 There have been a number of applications on the Pleasureland building which are listed below:

Application Number	Proposal	Decision
16/00638/FUL	Alterations and remodelling of existing front elevation including new structural elements, new cladding and replacement windows to first floor	Approved
12/00706/FUL	Retrospective application for the creation of a disabled access and decked area with revised balustrade to the rear of Pleasureland	Application returned (as no application fee was paid)
10/00875/FUL	Retrospective application for the creation of a decked area to the rear of Pleasureland	Refused and appeal dismissed (Enforcement notice also served for the removal of the decked area and upheld at appeal, subject to increase in timescale for compliance)

### **4.0 Consultation Responses**

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

Consultee	Response
Morecambe Town Council	No comments received
County Highway	<b>No objection</b> subject to conditions requiring: details of covered and secure cycle storage facilities; details of surfacing and marking of parking and turning; and offsite highway works, to include laying / refreshing of transverse Stop and Give Way thermoplastic lines.
County Strategic Planning	No comments received
Lead Local Flood Authority	No comments received

<b>Environmental Health</b>	<b>No objection</b> subject to conditions requiring: standard contamination conditions; hours of construction; scheme for dust control; noise mitigation; opening hours.
<b>Conservation Officer</b>	<b>Concerns</b> - overall from a conservation and heritage perspective, the proposed materials, massing and architectural design of the proposed indoor trampoline park are not desirable and would not make a positive contribution to the setting of surrounding heritage assets.
<b>Regeneration Team</b>	The proposal is consistent with MAAP Policy D05. Queries regarding the status of proposed pedestrian routes and maintenance of the existing arcade which provides a link to the seafront.
<b>Historic England</b>	<b>No comments to make.</b>
<b>Victorian Society</b>	<b>No comments to make.</b>
<b>Environment Agency</b>	Advised that the proposal does not fall within their consultation framework
<b>Natural England</b>	<b>No comments to make.</b>
<b>Fire Safety Officer</b>	It should be ensured that the scheme fully meets all the requirements of part B5 of the Building Regulations.
<b>Theatres Trust</b>	<b>No objection</b> in principle but seek assurances that full access to the rear of the Winter Gardens will be maintained.

## **5.0 Neighbour Representations**

5.1 Five pieces of correspondence have been received raising objections, and set out the following concerns:

- Scale of the building not in keeping with existing development in the vicinity
- Poor design and appearance, similar to an industrial unit
- Loss of light to residential properties, overbearing and noise impacts (including from increased traffic), impact on view and privacy
- Adverse impacts on office working conditions and environments, including loss of light and increased noise
- Impact on the Grade II\* Listed building (Winter Gardens) and the Conservation Area
- Storage area will encourage pests/rodents
- Increase in traffic and impacts on Northumberland Street
- No proposals for landscaping
- Previous foodstore application was refused as it would prejudice the restoration of the Winter Gardens. The current proposal will impact on accessibility and parking.
- Loss of parking which support existing attractions

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

### 6.1 National Planning Policy Framework (NPPF)

Paragraphs **7, 14 and 17** – Sustainable development and core principles  
Paragraph **23** – Ensuring the vitality of town centres  
Paragraph **32** – Access and transport  
Paragraphs **56, 58 and 60** – Requiring good design  
Paragraph **70** - Safeguarding cultural facilities  
Paragraph **123** – Noise impacts  
Paragraphs **131 – 134, 137 and 141** – Designated heritage assets

### 6.2 Lancaster District Core Strategy

**SC1** – Sustainable development  
**SC5** – Achieving quality in design  
**SC6** – Crime and community safety

### 6.3 Development Management Development Plan Document

**DM1** – Town centre development  
**DM3** – Public realm and civic space

- DM12** – Leisure facilities and attractions
- DM20** – Enhancing accessibility and transport linkages
- DM21** – Walking and cycling
- DM22** – Vehicle parking provision
- DM30** – Development affecting Listed buildings
- DM31** – Development affecting Conservation Areas
- DM32** – The setting of designated heritage assets
- DM35** – Key design principles
- DM39** – Surface water run-off and sustainable drainage

#### 6.4 Morecambe Area Action Plan Development Plan Document

- SP1** – Key pedestrian routes and spaces
- DO5** – Festival Market and area

#### 6.5 Other Material Considerations

Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended states that the local planning authority shall have regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 sets out that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **7.0 Comment and Analysis**

7.1 The main issues to be considered in the determination of this application are:

- Principle of development;
- Scale, design and impact on heritage assets;
- Access and highway implications;
- Impact on amenity of neighbouring properties; and
- Impact on cultural facilities.

#### 7.2 Principle of development

7.2.1 The site is located within the Morecambe Town Centre boundary and is within land identified as 'Development Opportunity Site DO5' as set out in the Morecambe Area Action Plan (MAAP). As such, proposals for main town centre uses, of which leisure is one, are encouraged in principle subject to the specific details being acceptable. A trampoline park would be anticipated to be a significant generator of footfall in an area which is currently devoid of activity, particularly outside of the summer season. The proposal has the potential to help make for a more compact town centre, as envisaged by the MAAP.

#### 7.3 Scale, design and impact on heritage assets

7.3.1 The site is on the boundary of Morecambe's Conservation Area and immediately behind the Grade II\* Listed Winter Gardens. The Conservation Area is designated for its historic linear development of seaside resort, its mixture of late-19th and early-20th terraced houses some with ground floor shopfronts and its eclectic mix of revival architectural styles. The Winter Gardens, formerly known as the Victorian Pavilion, is a landmark feature in Morecambe and is a particularly important example of a late-Victorian theatre. The significance of the building relates to its rarity as example of late-Victorian theatre, its retention of architectural merit and its historic association with the exponential development of Morecambe as a seaside resort in the late-19th century.

7.3.2 The proposed indoor trampoline park is sited immediately behind the Winter Gardens and along the boundary of the Conservation Area. The location and design of the proposal will have a direct impact on the setting of the Listed Building and Conservation Area. The building would measure 48 by 50 metres, with an external footprint of approximately 2,400sq.m, and be sited approximately 11 metres from the rear of the Listed Building. The original design proposed horizontal profiled metal cladding in a silver finish, with a grey brick plinth and a blue cladded panel marking the entrance. The plans also showed some large fabric panels containing images, spaced along the side of the building. It

was considered that the original design had an overly industrial appearance. Although some cladding had been proposed to add colour, overall it was not considered that the design related well to the proposed leisure use and was more akin to a building that you would expect to see on an industrial or retail estate, rather than within a town centre location.

- 7.3.3 Given the size of building required for the type of leisure use proposed, it would never be able to fully respect the scale of the surrounding buildings, in particular the adjacent terrace, and would be seen as a stand-alone building. As such, it is considered important to ensure that the proposal provides a high quality building, taking a contemporary approach, and possibly making it an attraction in its own right.
- 7.3.4 Amended plans have been received following the concerns being raised regarding the design. The footprint and position of the building have not been altered, but a different cladding system has been proposed to the external walls, in addition to a new glazed entrance at the southwest corner. Vertical cladding panels have been proposed in three tiers, with varying thicknesses. It is proposed to have one background colour with two tones of blue increasing in frequency towards the entrance to give an impression of movement. Concerns have been raised regarding the use of white as the main colour as it is considered that the finish could deteriorate quite rapidly. Grey has been proposed as an alternative, but it is considered that three tones of blue may be more appropriate. The effect proposed with the use of the cladding could significantly enhance the appearance of the building and help to break up its overall bulk and massing. However, at present it appears a little busy and confused. Whilst the cladding is acceptable in principle, the precise arrangement, size and colour of the cladding panels can be, and should be, controlled by condition. The glazed element for the entrance provides a clear focal point on the building, and subject to precise details, is considered to be acceptable.
- 7.3.5 There were also concerns raised regarding the low pitched hipped roof and it was suggested that alternative approaches were considered, such as a curved roof, so that it was clearly different from the surrounding development. No alterations have been made to the pitch and design of the roof, but it has been shown that it would be finished in a dark grey colour, and a stronger overhanging detail has been proposed to the eaves. Given the height of the building, when viewed in close proximity, the roof will not be discernible. As such, on balance, this element is considered to be acceptable.
- 7.3.6 In relation to the original proposal, the Conservation Officer raised concerns regarding the proposed materials, massing and architectural design and set out that they would not make a positive contribution to the setting of surrounding heritage assets. In addition to the design, it was advised that consideration be given to moving the facing elevation further from the heritage assets. The applicant did not want to reduce the footprint of the building as it was considered that this was the optimal size for the use proposed. Further comments from the Conservation Officer will be updated at the meeting. However, given the separation distance proposed and the scale and appearance of the rear of the Winter Gardens (which is markedly different in appearance than the more elegant front of the building), it is not considered that the proposal will unduly impact on its setting or that of the Conservation Area.
- 7.3.7 The scheme also includes the extension of the terrace area at the rear of Pleasureland. No elevations have been provided of this, but have been requested. A retrospective application for timber decking has been previously refused and an appeal dismissed as a result of its impact on the setting of the Listed Building and the Conservation Area. However, if designed sensitively, it is likely to be acceptable. Further details will be updated at the Committee meeting.

#### 7.4 Access and Highway Implications

- 7.4.1 The site is currently used as a privately managed parking facility for 450 vehicles accessed off Northumberland Street. The proposal will reduce the overall number of available spaces to 280. However, there are significant areas of other town centre car parking in the immediate vicinity. The Highway Authority has advised that the reduction in car parking spaces will have a negligible impact on vehicle movements over surrounding lengths of the public highway network. The area is also served by both rail and bus services in close proximity to the site. A condition has been requested in relation to off-site highway works in order to influence vehicle speeds along Northumberland Street at the point of access with the car park.
- 7.4.2 The Highway Authority has also requested a condition requiring 12 covered and secure parking

spaces. Cycle parking would be required for staff as well as for users of the facility. These have been shown on the amended plan, with 8 public cycle stands to the west of the building and secure staff cycle lockers located adjacent to the gate to the rear storage area. It is not clear whether these are big enough for the proposed purpose, but there are concerns regarding the visual impact of such, as they are on the public side of the gate. It may be more appropriate to provide the facility within the storage area. However, it is considered that the precise details could be controlled by condition.

7.4.3 New footpath links have been identified across the car park on the submitted site plan. Policy SP1 of the MAPP identifies a Key Pedestrian Route between Northumberland Street and the Flock of Words 'Poem' Path and, connecting to this, one from the Path north to the seafront. At present these are no more than desire lines across a car park. The policy expectation is that development will deliver these routes. The site proposed for the building means that it should relate well to the routes sought. The pedestrian refuge besides the building's south elevation will provide an element of the east-west route sought. It has been advised by the Regeneration Team that this should be a minimum 3 metres in width and constructed in appropriate and durable materials. Away from the building, the key pedestrian routes are shown as extending through the parking areas to make the linkages necessary. To optimise the pedestrian use of these, and in the interests of pedestrian safety, it is important that they are clearly demarcated with appropriate and durable surfacing treatments.

7.4.4 The application does not address the status of the key pedestrian routes through the site. Given these are key routes it is important to ensure that the public use of these and the connectivity these will afford is retained. The application shows a route for pedestrians extending from the application site via the Arcade through to the seafront. This is consistent with the Policy, however, the physical condition of the Arcade is currently less than satisfactory and the application offers nothing towards improving it. The applicant is encouraged to address this with, as a minimum, proposals to improve the appearance of the Arcade and to sustain these with regular maintenance and cleansing. The Arcade is not within the red-edged site (but within the applicant's ownership), but should the application be approved then officers envisage that a scheme for the maintenance and management of this could be agreed.

## 7.5 Impact on amenity of neighbouring properties

7.5.1 There are a number of properties fronting onto Northumberland Street, adjacent to the site. These have a mix of uses including residential, offices and one public house. When considering the siting of new dwellings, it would normally be expected that a distance of 12 metres be maintained between a blank wall and a habitable room window. Although the proposal relates to a much larger building, the eaves and ridge height are not dissimilar to a standard dwelling and as such this approach is considered appropriate in this instance. The scheme proposes at least this separation distance, and for most of the properties it is greater than this. There are also no windows proposed in this elevation, and two doors at ground floor. Given the above, it is not considered that there will be a detrimental impact on privacy or daylight to these properties. There is an existing wall along this boundary which varies in height, but is around 1.4 metres. It is not clear who has ownership of this, but it may be appropriate for the height to be increased or an additional higher boundary treatment to be installed to prevent overlooking from the storage area and to help screen this. It is not clear what is proposed to be stored in this area, but a height limit on this could be conditioned.

7.5.2 An environmental noise impact assessment has been submitted with the application. It is considered that this satisfactorily demonstrates, with predictive modelling, that noise impacts associated with the structural elements of the development can be adequately mitigated so that lowest observed effect levels are likely to be achieved at the nearest noise sensitive receptors. Environmental Health have advised that a condition is required to ensure that the structural elements described within the table provided in the 'summary' section of the report are provided as a minimum standard.

7.5.3 The survey undertaken did not assess potential noise impacts associated with plant noise. A condition is required to ensure that an assessment is undertaken to determine these impacts so that appropriate mitigation measures can be put in place. Considering the existing use of the land and typical noise characteristics associated within this area, it has been recommended that a rating level of 3dBA above 'typical'  $L_{A90}$ , is achieved during daytime hours at the façade of the nearest noise sensitive receptors. If it is necessary for plant to be operational during 'night-time' periods the development should be designed to achieve a rating level of 5dB below the 'typical' night-time  $L_{A90}$ .

7.5.4 The assessment has not considered potential impacts associated with the potential increased vehicle use at this location or potential noise impacts associated with people noise. However, having regard to the existing uses associated with the development site and its location, it is considered that there will be negligible impacts. It has also been recommended that opening hours are restricted to those detailed within the application form (10.00 until 22.00) and delivery hours are also restricted.

## 7.6 Impact on Cultural Facility

7.6.1 The Theatres Trust have raised some concerns regarding the potential impacts on safe and efficient access by vehicles to make deliveries of sets and equipment at the rear of Winter Gardens and have highlighted that a standard articulated lorry is 16.5 metres in length. They have advised that any restrictions on access for vehicles of this nature would have a long term negative impact on the future operation and viability of the theatre. Paragraph 70 of the NPPF provides clear guidance on the importance of safeguarding cultural facilities and states that in 'promoting healthy communities', planning decisions should 'plan positively for cultural buildings' and 'guard against the loss of cultural facilities and services'.

7.6.2 A distance of 10.8 metres has been left between the rear of the Winter Gardens and the application site boundary, part of which is within the applicant's ownership. There is also a small area between this and the north elevation of the building. There is sufficient space for the parking and turning of smaller vehicles, although there may be issues with larger lorries. However, the car park is not within the ownership of the Winter Gardens, and there are currently bollards between this space and the car park. As such, the proposal would not have any additional implications than the current situation.

## 8.0 Planning Obligations

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

## 9.0 Conclusions

9.1 The proposal will provide a covered leisure facility within a sustainable town centre location and should also improve pedestrian links through this area. There were original concerns regarding the massing and design of the building, in particular its relationship to the Conservation Area and Grade II\* Listed building. However, the amendments have gone some way to addressing the concerns and overall it is considered that there will not be an adverse impact on the setting of either of these heritage assets. It is also considered that there will not be a detrimental impact on the amenities of neighbouring properties or on highway safety. Potential issues with contaminated land and surface water can be adequately controlled by condition.

## Recommendation

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

1. Standard time condition
2. Approved plans
3. Construction Management Plan
4. Investigation/ remediation of contaminated land
5. Surface water drainage scheme
6. Noise mitigation, including noise generated by the plant
7. Off-site highway improvement works namely: Implementation of a range of off-site highway improvement works relevant to influencing vehicle speeds along Northumberland Street at its point of access with "Winter Gardens" car park
8. Precise details of layout out of the car park and pedestrian links, including materials, lighting, benches, cycle stands, bollards, landscaping and maintenance
9. Materials/details including – cladding (material, colour and arrangement), roofing material, windows/ doors (including any effects to glazing), eaves and ridge details, rainwater goods, boundary treatments
10. Materials/ details of extended terrace
11. Secure staff cycle facilities (notwithstanding details shown on submitted plan)
12. Opening hours 10.00 – 22.00
13. Restriction of delivery hours
14. Height limit to external storage area

## **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 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