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| Agenda Item A8 | Committee Date 14 November 2016 | Application Number 16/01249/LB |
| Application Site Lancaster Museum Market Street Lancaster Lancashire | Proposal Listed building application for replacement of existing slates, battens and underfelt, replacement of all lead work to roof and clock tower, redecoration of windows, security bars, railings and doors | |
| Name of Applicant Ms Sarah Price | Name of Agent Mr James Gill | |
| Decision Target Date 26 November 2016 | Reason For Delay N/A | |
| Case Officer | Mrs Kim Ireland | |
| Departure | No | |
| Summary of Recommendation | Approval | |

(i) **Procedural Matters**

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

1.0 The Site and its Surroundings

- 1.1 Lancaster City Museum, known to many as the Old Town Hall, is located on the westernmost part of Market Square overlooking the existing public seating area in the city centre of Lancaster. The rear of the Museum is accessed from New Street. The building was constructed between 1781 and 1783 and was further restored in 1873, later being converted from the Old Town Hall to Lancaster Museum in 1923. The building is an elegant Georgian building, two storeys above basement and is constructed in sandstone ashlar with a natural slate roof and a cupola. The principal façade facing east is made up of five bays separated by giant Tuscan columns and has a rusticated ground floor, with round arched windows with glazing bars and a central round arched doorway. A projecting Tuscan portico is raised on four steps which lead to Market Square.
- 1.2 Other than parking for disabled badge holders being available in the Square, the area, along with Market Street and New Street, is designated a pedestrian zone.
- 1.3 Lancaster Museum is a Grade II* Listed Building attached to the Grade II listed Library building to the north. The site is located within the Lancaster Conservation Area.

2.0 The Proposal

- 2.1 The application proposes the replacement of the existing slates, battens and underfelt, replacement of all lead work to roof and clock tower, and redecoration of windows, security bars, railings and doors.

3.0 Site History

3.1 There is a considerable amount of planning history which relates to Lancaster City Museum, most of which seeks Listed Building Consent for minor internal and external alterations. However, none of these has a direct relevance to the proposed works contained within this application. The most recent applications are:

| Application Number | Proposal | Decision |
|---------------------------|--|-----------------|
| 14/01319/LB | Listed building application for replacement of rainwater goods | Permitted |
| 14/00603/LB | Listed building application for the display of 2 externally displayed suspended banners to the front elevation | Permitted |
| 14/00600/ADV | Advertisement application for the display of 2 externally displayed suspended banners to the front elevation | Permitted |

4.0 Consultation Responses

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

| Consultee | Response |
|--|--|
| Conservation Officer | No objection subject to conditions requiring samples of slates and the hydraulic lime mortar pointing, and colours to be used on the windows, doors, louvres in the cupola, metal railings and metal window security bars. Additional information has been sought regarding the sealants to the window frames, door frames and masonry interfaces, and if the wooden windows are to be repaired prior to being painted. |
| Historic England | No comments at the time of compiling this report. |
| Ancient Monuments Society | No comments at the time of compiling this report. |
| The Council for British Archaeology | No comments at the time of compiling this report. |
| Georgian Group | No comments at the time of compiling this report. |
| Society For the Protection of Ancient Buildings | No comments at the time of compiling this report. |
| The Victorian Society | No comments at the time of compiling this report. |
| Twentieth Century Society | No comments at the time of compiling this report. |

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** to **134** – Conserving and Enhancing the Historic Environment

5.2 Development Management DPD

DM30 – Development affecting Listed Buildings
DM31 – Development affecting Conservation Areas
DM35 – Key design principles

5.3 Lancaster District Core Strategy (adopted July 2008)

Policy **SC1** – Sustainable Development

6.0 Comment and Analysis

- 6.1 The key issue to consider in determining this Listed Building application is whether the proposal is considered acceptable in terms of its impacts upon the historic fabric and architectural merit of the Grade II* Listed Building.
- 6.2 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 policies DM30 and DM31.
- 6.3 The existing natural slate roof together with the lead parapet and valley gutter linings, hip and ridge roll cover flashings, stepped abutment flashings and soakers have deteriorated or become damaged overtime. Consequently rainwater ingress has caused damage to the fabric of the building including damage to the walls, ceilings and roof structure as well as some exhibits held within the museum. The works are therefore considered vital for the long term preservation of the building.
- 6.4 The proposed works will involve completely replacing all of the existing slates and leadwork, salvaging sound existing slates and re-using them on the external perimeter slopes of the building. The existing perished lime mortar joints to the stone copings, gables, parapet walls and chimney stacks will be repointed. The upper storey windows and high level painted elements of the clock tower are to be redecorated including replacing the leadwork. The windows, doors, metal railings and metal window security bars are to be repainted.
- 6.5 The proposed works will clearly be visible on all elevations and this will of course impact on the appearance of the building as new materials will be replacing original or historic fabric. Paragraph 134 of the NPPF is therefore relevant and states that: *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”*
- 6.6 It is considered that the proposed works will have a less than substantial harm on this Listed building that the works will assist in the long term preservation of the building. It is therefore considered the less than substantial harm is offset by the benefits to the building fabric.

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 In conclusion, it is considered that this proposal represents a relatively minor scheme which will have positive benefits for the Listed building. The works will not adversely affect the character of the Listed building, subject to the agreement of specific details to be controlled by condition, and will comply with the requirements of Policy DM30 of the Development Plan Document. Furthermore the scheme has been assessed against paragraph 134 of the NPPF and is considered to be acceptable.

Recommendation

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

1. Standard Listed Building time limit
2. Development to accord to approved plans
3. Sample of the new slates to be submitted
4. Sample of the hydraulic lime mortar pointing to be submitted
5. Colours to be used on the windows, doors, louvres in the cupola, metal railings and metal window security bars to be submitted.

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