

<b>Agenda Item</b> A7	<b>Committee Date</b> 24 July 2017	<b>Application Number</b> 17/00718/VCN
<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 (pursuant to the variation of condition 9 on planning permission 16/00578/FUL in relation to the finish to the building, to include a maintenance regime and alterations to boundary treatments including an increase in height to 3 metres)	
<b>Name of Applicant</b> Mr Solomon Reader	<b>Name of Agent</b> Mr Mike Turner	
<b>Decision Target Date</b> 14 September 2017	<b>Reason For Delay</b> None	
<b>Case Officer</b>	Mrs Eleanor Fawcett	
<b>Departure</b>	No	
<b>Summary of Recommendation</b>	Approval subject to receipt of further information and amendments to fencing	

## **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 This application seeks to make some alterations to the previously approved scheme for the erection of a building to be used as a trampoline park. The building was proposed to be finished in a cladding system in varying colours of blue, and possibly grey. During the application to agree the details covered by the conditions on the consent, it was proposed that the building would be finished in a vinyl, applied to vertical grey panels on the building. Some concerns were raised in relation to this, in particular relation to the ongoing maintenance to ensure that it did not become unsightly, however

there was nothing within the relevant condition allowing for this. As such, in order for the use of vinyl to be acceptable, it was considered that the condition should be varied to include the maintenance of this. Further details were also requested in relation to the specific product and how it would be applied.

- 2.2 The application also seeks to increase the height of the boundary treatment, around the proposed external yard area to the east of the building, to 3 metres. The previously approved plans set out that this would be enclosed by a 2.4 metre high wall and fence. The current application just proposes metal fencing up the existing boundary wall with the properties fronting Northumberland Street, and fences and gates at both the northern and southern end of the yard area.

### **3.0 Site History**

- 3.1 Planning permission (16/00578/FUL) was granted at Planning Committee, in August 2016, for the erection of a two storey indoor trampoline park with associated landscaping and parking and extension of terrace to rear of Pleasureland. The only other 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) which was refused.

- 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 - consultation period expires 13/07/17.
Conservation	No comments received - consultation period expires 13/07/17.

### **5.0 Neighbour Representations**

- 5.1 No comments received - consultation period expires 21/07/17.

### **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 Local Planning Policy Overview – Current Position

At the 14 December 2016 meeting of its Full Council, the local authority resolved to undertake public consultation on:

- (i) The Strategic Policies and Land Allocations Development Plan Document (DPD); and,
- (ii) A Review of the Development Management DPD.

This enabled progress to be made on the preparation of a Local Plan for the Lancaster District. Public consultation took place from 27 January 2017 to 24 March 2017. Whilst the consultation responses are currently being fully considered, the local authority remains in a position to make swift progress in moving towards the latter stages of: reviewing the draft documents to take account of consultation outcomes, formal publication and submission to Government, and, then independent Examination of the Local Plan. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in 2018.

The **Strategic Policies and Land Allocations DPD** will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2016, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The **Review of the Development Management DPD** updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

## 6.3 Lancaster District Core Strategy

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

## 6.4 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

## 6.5 Morecambe Area Action Plan Development Plan Document

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

## 6.6 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:

- Scale, design and impact on heritage assets
- Impact on residential amenity

### **7.2 Scale, design and impact on heritage assets**

7.2.1 The building, which is the subject of the application, is currently under construction. During the previous application the finish was amended from a grey more utilitarian appearance, to coloured cladding panels. During the course of agreeing the details covered by the conditions, a vinyl finish was proposed to vertical cladding panels, rather than using individual coloured panels. Concerns were raised with the agent in relation to this including: the finish; how it would be divided to look like individual panels of colour; how it would weather; and how any damage to the applied vinyl would be repaired. The original condition did not include maintenance of the panels and that raised concerns about ensuring that if the applied finish starting peeling off or significantly fading, whether there would be sufficient control to ensure that this was replaced. As such, the use of a vinyl was considered acceptable in principle, as it would ultimately achieve the same aim as coloured cladding panels, providing that clarification was provided over the final appearance of building using this material, and the maintenance was covered by a variation to the original condition in relation to the materials.

7.2.2 Four shades of blue have been chosen for the finish of the building, with each vertical panel divided into three sections which will vary in size. Only one elevation has been provided, but it is expected that this will be repeated on each elevation, although clarification has been sought. The colour, and arrangement of the individual sections is considered to be acceptable and will add interest to the building, and be less complicated than previous arrangements that have been proposed. A number of queries in relation to the material, and how it would be applied, were asked prior to the submission of the application, however, many of these have not been addressed. Samples of the colours and material have been provided, but it is unclear if this will be applied to another material or surface before being applied to the building as it appears that it would be very easy for air bubbles to be trapped. The finish shown on the samples is relatively matt in appearance, which addresses previous concerns about it appearing overly shiny and reflective.

7.2.3 It has been set out that the vinyl would be covered by a 10 year warranty, However, this does not actually guarantee the maintenance of the outside of the building during this time or after this period. The draft warranty certificate seems to show that the company providing the vinyl would only provide a maximum reimbursement of 100% of material costs up to 6 years and 100% of customer costs up to 3 years. The lifetime of the building will be much longer than the warranty of the materials and it needs to be ensured that it does not become unsightly over time, having a detrimental impact on the character and appearance of the area, including the adjacent Conservation Area. A covering email from the agent sets out that the installers will carry out a site survey every 3 years to ensure the material is meeting standards, although it is not clear what these standards are. It goes on to say that, when maintaining the product, standard soaps and cleaning equipment will be suitable (high powered jet washes or steam cleaning not to be used) and it will be cleaned at least every 6 months to ensure a maximum reimbursement scope under warranty coverage. However, this does not appear to cover anything beyond the warranty period, or set out in what situation the film would be replaced. It has been previously advised that a maintenance regime should be provided.

7.2.4 Other queries that have been previously asked and have not been addressed through this application relate to: what the warranty actually means in terms of any colour fade or other deterioration of the finish after the 10 year timescale; how the vinyl is applied, including if it is wrapped around the edges of the panel and if there is any overlap with the individual colours; and whether any overlay is proposed over the coloured vinyl and if so what the resultant finish would be.

These have been raised again with the agent and an update will be provided at the Committee Meeting.

7.2.5 The use of a vinyl is considered to be acceptable in principle, providing that the above queries can be adequately addressed, including the agreement of a robust maintenance regime. It is considered that the finish of the building is important, particularly given its scale and massing which is similar to an industrial building and its location close to the Town Centre and adjacent to the Conservation Area.

7.2.6 The application also proposes the increase in height of the fence along the eastern boundary of the site, adjacent to the properties fronting Northumberland Street, and at either ends of the service yard to the building. The plans on the original application indicated that there would be a wall and fence around the perimeter of the service yard at 2.4 metres in height. The current proposal relates to 3 metre high mesh security fencing, finished in dark grey, to be sited adjacent to the wall along the eastern boundary. The existing wall varies in height between 1.5 and 1.7 metres. The fence would also continue along the northern and southern ends of the service yard and incorporate a gate at both ends. The type and finish of the fencing is considered to be acceptable in principle, however there are concerns regarding the height, particular as it will be twice as high as the existing boundary wall in some places. It is unclear why this height is necessary, and it is considered that the fencing would have a detrimental impact on the on the character and appearance of the area. Although the previous plans showed a 2.4 metre high boundary treatment, this included a wall and, on its own, it is considered that a 2 metre high fence would be more appropriate. It would be preferable if the existing boundary wall was increased in height, in order to provide adequate enclosure and security, however it is unclear who has ownership of this and it potentially raises structural issues. The agent has been asked to amend the boundary details and an update will be provided at the meeting.

### 7.3 Impact on residential amenity

7.3.1 The fence would be adjacent to the boundary with a terrace of properties fronting Northumberland Street, some of which are residential. Whilst there are concerns regarding the visual impact of the fencing, given the separation between the rear of the properties, and that the land closest to the boundary is predominantly used for parking and access, it is not considered that it would have a detrimental impact on residential amenity.

## **8.0 Planning Obligations**

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

## **9.0 Conclusions**

9.1 The use of a vinyl to the outside of the building is considered to be an appropriate finish, providing that the above queries can be adequately addressed, including the agreement of a robust maintenance regime. If this can be resolved it is considered that the development would not have a detrimental impact on the character or appearance of the area, including the adjacent Conservation Area and setting of the Listed Building. The boundary treatment is considered to be inappropriate at its current height, but if reduced, preferably to 2 metres, it is considered that this would be appropriate.

## **Recommendation**

That Planning Permission **BE GRANTED** subject to the receipt of appropriate details and amendments and following conditions:

1. Approved plans
2. Development in accordance with approved Construction Management Plan
3. Contamination measures
4. Development in accordance with approved surface water drainage scheme
5. Development in accordance with noise mitigation - including noise generated by the plant
6. Implementation of off-site highway works
7. Layout out of the car park and pedestrian links, including materials, lighting, benches, cycle stands, bollards, landscaping and maintenance
8. 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 and maintenance at all times thereafter

9. Materials/ details of extended terrace
10. Secure staff cycle facilities
11. Opening hours 10.00 – 22.00
12. Restriction of delivery hours
13. Height limit to external storage area – not to exceed height of boundary treatment

### **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.

### **Background Papers**

None