

Agenda Item	Committee Date	Application Number
A11	24 July 2017	17/00446/LB
Application Site Dukes Playhouse Moor Lane Lancaster Lancashire	Proposal Listed building application for alterations to roof and replacement rooflights, replacement of 5 windows to the ground floor rear elevation, replacement of a door on the side elevation and repair works to rainwater goods, external metal work, extraction vents and external block work.	
Name of Applicant Ms Sarah Price	Name of Agent Mr James Gill	
Decision Target Date 18 July 2017	Reason For Delay Committee Cycle	
Case Officer	Mr Robert Clarke	
Departure	No	
Summary of Recommendation	Approval	

(i) Procedural Matters

The proposed works would normally fall within the Scheme of Delegation. However, the property to which this application relates is in the ownership of Lancaster City Council, and as such the application must be determined by the Planning and Highways Regulatory Committee.

1.0 The Site and its Surroundings

1.1 The property which forms the subject of this planning application is The Dukes Playhouse located on Moor Lane in Lancaster. The property is grade II Listed and dates from 1796 and it was originally used as the Parish Church. It is constructed in sandstone ashlar with a slate roof with an adjoining more modern (1971) flat roof extension to the side - both aspects are covered under the Listing. The property is located within the Lancaster Conservation Area.

2.0 The Proposal

2.1 This application seeks Listed Building Consent for various refurbishment works to the modern extension including:

- Replacement of existing flat roof felt coverings;
- Replacement of existing flat roof rooflights with domed polycarbonate roof lights;
- Replacement of 5 rear elevation ground floor single glazed windows to rear elevation with double glazed timber framed units;
- Replacement of 1 timber door and frame to match;
- Removal of asbestos ceiling boarding within Scenery Dock store and replacing with new ceiling boarding;
- Repair/replace/repoint external blockwork and copings;
- Installing handrail alongside steps at rear of building;
- Repair and repaint rainwater goods and extraction vents; and,
- Repaint/stain all existing external timber window/door frames.

3.0 Site History

3.1 There is a large planning history relating to various listed building works going back 35 years, the most recent are listed below:

Application Number	Proposal	Decision
06/01274/LB	Listed building consent for erection of signs	Permitted
07/01155/LB	Listed building application for erection of awning in courtyard	Permitted
08/00135/FUL	Replacement of external door and associated internal alterations	Permitted
08/00136/LB	Listed building application for replacement of external door and associated internal alterations	Permitted
08/00335/LB	Listed building application to replace 2 single glazed windows with double glazed windows	Withdrawn
08/00396/LB	Installation of 1.2m satellite dish and associated cabling	Permitted
08/00503/LB	Formation of ramped access to front elevation and installation of pedestrian barrier	Permitted
08/00556/FUL	Installation of 1.2m satellite dish and associated cabling	Permitted
08/00633/LB	Listed building application to replace 4 timber windows	Permitted
08/00870/FUL	Replacement of 4 timber windows	Permitted
08/00871/FUL	Formation of ramped access to front elevation and installation of pedestrian barrier	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 the development being carried out in accordance with agreed details

5.0 Neighbour Representations

5.1 No comments received during the statutory consultation period.

6.0 Principal National and Development Plan Policies

National Planning Policy Framework (NPPF)

Paragraph 14 - Presumption in favour of sustainable development
Paragraph 17 - 12 core planning principles
Section 7 - Requiring good design
Section 12 - Conserving and enhancing the historic environment

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.

6.2 **Development Management DPD**

DM30: Development affecting Listed Buildings

DM31: Development affecting Conservation Areas

DM32: Development affecting the setting of Designated Heritage Assets

DM33: Development affecting Non-Designated Heritage Assets of their Setting

DM35: Key Design Principles

6.3 **Lancaster District Core Strategy**

SC1: Sustainable Development

SC5: Achieving Quality in Design

7.0 **Comment and Analysis**

7.1 The key considerations arising from the proposal are:

- Principle of the development; and
- Scale, design and impacts on the character of the Listed building and Conservation Area

7.2 **Principle of the development**

7.2.1

Due to ongoing problems with water ingress into the modern extension to this property, a result of deterioration over time of the fabric of the structure, this application seeks consent for a package of refurbishment works to the side extension with some minor decorative works to the original structure also being made. The principle of the proposed works is acceptable. They will contribute towards ensuring the preservation of the fabric property in an acceptable condition therefore facilitating the continued use of this Listed building. The proposed decorative works, including the repainting of existing timber window/door frames, will enhance the appearance of the heritage asset.

7.3 **Scale, design and impacts on the character of the Listed building and Conservation Area**

7.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building and or 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.

7.3.2 This programme of works is an opportunity to bring a more uniform appearance to the building. The replacement windows to the modern side/rear extension, for which an amended plan has been received, will match those on the eastern elevation with top hung openers and a brown stained finish. The door to be replaced on the eastern elevation – which is beyond repair – is a modern addition. It is to be replaced with a timber door/frame of a similar appearance. Throughout the building the windows and doors are to be repainted in a dark brown paint/stain finish serving to

provide continuity in the appearance of the asset. Existing rainwater goods and metal work, including handrails, will be cleaned and repainted in dark grey, so as to minimise their presence. Works to the external block work will preserve the structure of the building and ensure a maintained appearance. The flat roof of the structure will be finished in a thermally efficient felt with the existing coping being finished with a metal edge strip. The felt will be terracotta in colour which will match that currently installed, which is in a poor state of repair. The existing roof lights which are of various forms (pyramidal, domed and flat) will be replaced with domed roof lights. Although these will not be seen from the streetscene due to the existing parapet wall and coping, their introduction will also provide continuity. The preservation of the designated heritage asset is of utmost importance. The proposed refurbishment works will enable the integrity of the structure to be maintained through the prevention of water ingress and will also provide a more coherent appearance. The proposed works are therefore supported and will serve to ensure the preservation and continued use of this heritage asset.

8.0 Planning Obligations

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

9.0 Conclusions

9.1 In conclusion, this proposal does not adversely affect the character of the Listed building and will act to preserve one of the City's significant heritage assets. It is on this basis that Members are advised that this application can be supported, subject to a condition to ensure the works are carried out in accordance with agreed details.

Recommendation

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

1. Standard three year timescale
2. Works to be carried out in accordance with the approved plans – to be listed
3. Works to be undertaken in accordance with agreed details – to be listed

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, 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.

Background Papers

None