

Agenda Item A15	Committee Date 7 January 2019	Application Number 18/01377/FUL
Application Site 4 High Street Lancaster Lancashire LA1 1LA		Proposal Change of use of 2 2-bed ground floor flats with associated basement storage to a 2-bed maisonette over ground and first floors, installation of replacement doors to the rear elevation and construction of glazed canopy to the rear elevation
Name of Applicant Mr & Mrs Steve Wilkinson		Name of Agent Mr Steve Donnelly
Decision Target Date 24 December 2018		Reason For Delay Committee cycle
Case Officer		Mr Andrew Clement
Departure		None
Summary of Recommendation		Approval

(i) Procedural Matters

The application is one which would normally be dealt with under delegated powers but is required to be placed before the Planning and Highways Regulatory Committee as the applicant is related to an elected Member of the City Council.

1.0 The Site and its Surroundings

- 1.1 The property that forms the subject of this change of use application is a Grade II Listed building, which is situated within the Lancaster Conservation Area for the High Street character area. The terrace property is attached to other Grade II Listed buildings on both sides, with further Listed buildings and non-designated heritage assets on the opposite side of High Street and within the visual context of the site. The property is a stone built double fronted town house, circa 1770, which is currently in use as flats over three floors. The basement consists of four rooms and a central stair/hallway, used for storage and service meters at present. The rooms facing High Street have two high level windows to each room. One of the rear basement rooms to the north facing elevation has a door and window opening while the remaining room has no windows.

2.0 The Proposal

- 2.1 The application seeks consent for the conversion of two existing 1-bed ground floor flats and the basement to for a single 2-bed maisonette over both ground floor and basement. To facilitate this conversion, internal alterations are proposed to create a private lobby area adjacent to the stairwell to the upper floor flats, block up existing internal openings to the hallway from the two ground floor flats to be converted, relocate gas/electric metres to the hallway, with the basement floor to be lowered with existing slabs re-laid over and insulation stud walls and partitions to basement walls. Externally, alterations to existing windows and door openings are proposed, namely increasing the height of the front elevations windows to the basement, installation of 4 sets of French doors into existing door or increase window openings to the rear elevation, and erection of a canopy to the rear elevation.

3.0 Site History

3.1 The most relevant listed building and planning history is set out below.

Application Number	Proposal	Decision
07/01437/CU and 07/01438/LB	Conversion of existing basement to form a 2 bed flat	Refused
08/00186/CU and 08/00187/LB	Conversion of existing basement to form a 2 bed flat	Permitted

4.0 Consultation Responses

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

Consultee	Response
County Highways	No objection
Conservation Section	No objection to amended proposal, subject to conditions regarding a number of details of methods to be agreed
Environmental Health	No observation received
Historic England	No objection

5.0 Neighbour Representations

5.1 No observations received.

6.0 Principal National and Development Plan Policies

6.1 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 11). The following sections of the NPPF are relevant to the determination of this proposal:

Paragraphs 8 and 11 – Sustainable Development
Section 5 – Delivering a sufficient supply of homes
Section 12 – Achieving well-designed places
Section 16 – Conserving and enhancing the historic environment

6.2 Development Management Development Plan Document (adopted July 2014)

DM22 – Vehicle Parking Provision
DM30 – Development affecting Listed Buildings
DM31 – Development affecting Conservation Areas
DM32 – The Setting of Designated Heritage Assets
DM33 – Development affecting Non-Designated Heritage Assets or their Settings
DM35 – Key Design Principles
DM44 – Residential Conversions
Appendix B – Car Parking Standards
Appendix E – Flat Conversions

6.3 At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations 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. The DPDs were submitted to the Planning Inspectorate on 15 May 2018 for independent Examination, which is scheduled to commence in spring 2019. If the Inspector finds that the submitted DPDs have

been soundly prepared they may be adopted by the Council later in 2019.

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 2017, 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.

6.4 Lancaster Core Strategy – saved policies (adopted July 2008)

SC5 – Quality in design

6.5 Other Material Considerations

Listed Building and Conservations Area Act 1990

Section 7 - Restriction on Works Affecting Listed Buildings

Section 17 - Power to Impose Conditions on Grant of Listed Building Consent

Paragraph 72 - General duty as respects conservation areas in exercise of planning functions.

Paragraph 73 - Publicity for applications affecting conservation areas

Lancaster Conservation Area Appraisal – High Street character area

7.0 Comment and Analysis

7.1 The key considerations arising from the proposal are:

- Principle of the development;
- Scale, design and landscape impacts upon the Listed building and Conservation Area;
- Residential amenity; and
- Impact upon the highway and parking.

7.2 Principle of the Development

7.2.1 The property has an established use for residential accommodation, with 6 flats over 3 floors as existing. This application proposes to convert 2 of these ground floor flats, along with the basement, to form a single maisonette residential unit. Although this would result in a cumulative loss of 1 residential unit, the same number of bedrooms as existing are to be provided over an increased residential floorspace. The proposed development is considered to be acceptable in principle, and compatible with policy DM44 and NPPF Section 5.

7.3 Scale, Design and Landscape Impacts upon 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, 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, DM31 and DM32. DM31 sets out that new buildings within Conservation Areas will only be permitted where it has been demonstrated that:

- Proposals respect the character of the surrounding built form and its wider setting in terms of design, siting, scale, massing, height and the materials used; and,
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and,

- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area.

- 7.3.2 To facilitate the proposed amalgamation of the 2 flats and basement into a single maisonette, developments to the existing opening of the building and works to the internal fabric are proposed. From the front elevation, the only discernible difference is to the basement windows, which are at pavement level. These existing lightwell windows are not historic, and their replacement with taller slimline double glazed unit would cause no undue harm to the heritage asset, although a method statement for the lowering of these heights must be agreed to ensure the existing 18th century style boundary railings are protected during works.
- 7.3.3 To the rear elevation, four sets of French doors are to be provided, one of which requires the lowering of the existing stone wall and cill to a basement window. A canopy above this and another basement French door is proposed, providing a partially covered patio to the basement, with an existing external stairwell to the ground floor level garden area. These external changes are visually contained by the existing built form, located with the existing garden, and would cause no undue harm to the Conservation Area. These works would cause less than substantial harm to the Listed building and the setting of the adjoining Listed buildings, though subject to the precise details of these developments, this harm is outweighed by creating a more usable residential area suitable for habitation rather than domestic storage as existing.
- 7.3.4 The proposal involves a large degree of internal alterations to convert the basement and 2 ground floor flats into a single unit. The hallway and stairwell to upper floors will remain as a communal area with shared access with the upper floor flats, whilst the basement stairwell and rear of the property is to form part of the maisonette. This is to be achieved by installing a new door and stud walls adjacent to the stairwell to the upper floors, whilst fixing closed 2 ground floor doors into the existing flats and blocking these off internally to the maisonette rooms. Service meters are to be relocated to the ground floor communal lobby. Partition walls and insulated stud walls are proposed to the basement, with sufficient head height achieved by lowering the basement floor level and relaying the existing sandstone flags over a new insulated floor. The retention of the sandstone flags under a limecrete slab retains this historic feature, though details of the methodology for this engineering operation and retention is required through planning condition. The tanking of the basement walls is to be via a membrane system that is not intrusive to the existing structure.
- 7.3.5 The proposed works will have cause a less than substantial impact upon the Conservation Area and setting of Listed buildings, which can be mitigated by the details of basement windows, external doors, canopy and methodology for the lowering of cills. The impact upon the Listed building through the proposed internal works is similarly less than substantial subject to details and methodologies. However, subject to the agreement of these, the increase in residential floorspace and improved level of amenity to future occupants of the proposed maisonette is considered to outweigh the less than substantial heritage harm. This conclusion is shared by the Conservation Section, with amendments and details agreed during this application process and subject to conditions to agree further details of the proposal. Therefore, the application is considered to be consistent with policies DM30, DM31, DM32, DM33, DM35 and NPPF Sections 12 and 16.

7.4 Residential Amenity

- 7.4.1 The proposed maisonette has constrained openings to the front basement rooms, but given the use of the basement wetroom and dressing room, neither of which require natural light or outlook, and the study as a secondary living space to the main habitable rooms, this is considered to offer satisfactory levels of amenity. The basement bedroom benefits from two full height French doors, with all ground floor room also benefitting from good levels of outlook and natural light. The room sizes are ample in comparison to the 2 existing flats, and satisfactory head height in the basement can be achieved by lowering the floor levels. The proposed maisonette is considered to offer satisfactory levels of residential amenity to future occupants.
- 7.4.2 The proposed internal arrangement prevents direct access to the rear garden area for the existing four upper floor flats. Although an area of the rear domestic garden is to be used for bike and bin storage, the precise details of which are to be controlled by planning condition, access to these would require walking around the site and neighbouring buildings. At a distance of approximately 100 metres, this is an inconvenient and convoluted access to bin and bike stores, which would

inconvenience upper floor occupants using these facilities. Alternative internal arrangements were discussed with the applicant's agent, but these would impact upon the maisonette floorspace and providing suitable access and ventilation would likely cause a large degree of harm to the Listed building. This is not an ideal solution, but given that the upper floors flats have small one bedroom each and are small in scale, waste from these individual flats is likely to be relatively small, and balanced against the improved amenity of the maisonette flat and bringing the basement into a more viable use, the proposal is considered to have an acceptable impact upon residential amenity on balance.

7.5 Impact upon the Highway and Parking

- 7.5.1 The site does not benefit from any off-street parking at present, which is to remain unchanged by this proposal. Domestic parking provision is calculated on number of bedrooms, which is also to remain unchanged through this proposal, and therefore this scheme will have no impact upon highway or parking. County Highways raised no objection to the proposal. The proposal is considered to be acceptable in terms of impact upon the highway.

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, the conversion of the existing basement and 2 flats to a maisonette would provide a higher quality residential unit, offering a greater level of residential amenity than the existing 2 small flats. The conversion and habitable use of the basement space is considered to outweigh the impact upon the amenity of the upper floor flats, namely reduced convenience of access to the external bin and bike storage facilities, and outweighs these less than substantial harm to the heritage assets. Subject to conditions regarding various details and methods of the proposed development and works, the proposal is considered to have an acceptable impact upon the Conservation Area, Listed buildings and residential amenity.

Recommendation

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

1. Standard timescale
2. Development in accordance with approved amended plans and details
3. Method statement and details of basement windows, including protection of railings
4. Method statement and details of basement floor and walls, retaining sandstone flags
5. Details of glazed canopy, external doors, internal doors, partition of staircase, partition walls and any flues, grilles or vents
6. Details of bike and bin storage for upper floor flats

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