

<b>Agenda Item</b> A6	<b>Committee Date</b> 4 February 2019	<b>Application Number</b> 18/01440/VCN
<b>Application Site</b>  21-25 North Road Lancaster Lancashire LA1 1NS		<b>Proposal</b>  Phased change of use and conversion of bar, nightclub and shop (A1/A4) to student accommodation comprising 32 studios, one 3-bed, two 5-bed cluster flats (C3), four 7-bed, two 8-bed and one 9-bed cluster flats (sui generis) and gym area with associated internal and external alterations, erection of two 2-storey rear extensions, associated landscaping and car parking and Relevant Demolition of existing rear extensions (pursuant to the variation of condition 2 of planning permission 16/00274/FUL to vary the approved plans to cater for reduction in roof lights, provision of louvre grills and amendments to the layout, to provide for 32 studios, two 2-bed (C3) six 8-bed and one- 9 bed cluster flats (Sui Generis) and amendments to condition 11 to provide for an amended material schedule together with amendments to condition 15 to provide for an amended material schedule for the hard and soft landscaping)
<b>Name of Applicant</b>  Mr John Clarke		<b>Name of Agent</b>  Mr Sean Smith
<b>Decision Target Date</b>  20 February 2019		<b>Reason For Delay</b>  Not applicable
<b>Case Officer</b>		Mr Mark Potts
<b>Departure</b>		No
<b>Summary of Recommendation</b>		Approval

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

- 1.1 The site is located on the northern fringes of Lancaster City Centre in the Waring and Gillow's Showroom building, which is a 19<sup>th</sup> Century Grade II Listed building of coursed, dressed sandstone with ashlar dressings. Its original use was as furniture showrooms and offices constructed in 1882 and altered in the 20<sup>th</sup> Century, and was in active use for furniture sales and manufacture until its closure in 1962. Until recently the property accommodated the Livingwoods furniture store, but they have sought alternative premises. The premises have also been used recently as a nightclub and bar (in a number of different guises). The site is located to the east of North Road and is bound by other buildings to the north-east (including The Yorkshire Taps public house) and a further building to the south west. To the east lies the Sugarhouse Nightclub and beyond this the Grade II Listed St Leonards House. To the west is North Road with a car park beyond this. Development commenced on the site in 2018 and works have included the demolition of the stair towers and stripping the building internally.

- 1.2 The proposal sits within the Lancaster Conservation Area (Canal Corridor North character area) and within the Central Lancaster Heritage Action Zone. The site falls within Flood Zone 2 and sits within the Lancaster Air Quality Management Area.

## **2.0 The Proposal**

- 2.1 The application is made under Section 73 of the Town and Planning Act and the scheme proposes some modifications to the external façades of the building and also internally to facilitate development. The studios on the uppermost floor remain consistent with the approved plans but the scheme has been amended to provide for 2 3-bedroom cluster flats, 6 8-bedroom cluster flats and 1 9-bedroom cluster flat. The number of bedrooms provided under the extant planning consent totals 99. This application seeks to reduce this to 96 units owing to there being one less cluster flat compared to the original permission.

The external changes include:

- The extent of the proposed roof lights has been reduced along the apex of the roof;
- New solid wall construction forming the rear extension to be finished in render (in lieu of stone);
- Reduction in the extent of fabric removal and glazing to the rear entrance;
- Additional louvre grills for the building ventilation system, including a small vent over the corner rear entrance doors;
- Slight amendment to the curtain wall mullions with the addition of a horizontal bar for the opening light and to correspond with the internal ceiling level; and
- Retention of metal grills over the stained glass window on the rear elevation.

The changes internally are:

- Removal of a stud partition within the entrance;
- Changes to the 2nd floor layout including amendments to the feature stair, reconfiguration of some studio apartments;
- Changes to the ground and first floor layouts include redesign of the stairs, all living spaces located to the main level and omission of these at mezzanine level. In addition at ground floor the common areas have been relocated and some additional openings are shown in Flat 1.

The approval allowed for the phasing of the building. However the applicant is now seeking to undertake the works as a single entity.

## **3.0 Site History**

- 3.1 The relevant site history is noted as per the below:

Application Number	Proposal	Decision
17/00770/RCN	Phased change of use and conversion of bar, nightclub and shop (A1/A4) to student accommodation comprising 32 studios, one 3-bed, two 5-bed cluster flats (C3), four 7-bed, two 8-bed and one 9-bed cluster flats (sui generis) and gym area with associated internal and external alterations, erection of two 2-storey rear extensions, associated landscaping and car parking and Relevant Demolition of existing rear extensions (pursuant to the removal of condition 18 on planning permission 16/00274/FUL to remove the need to undertake pre-occupation noise monitoring)	Refused (Approved on Appeal)
16/00274/FUL	Phased change of use and conversion of bar, nightclub and shop (A1/A4) to student accommodation comprising 32 studios, one 3-bed, two 5-bed cluster flats (C3), four 7-bed, two 8-bed and one 9-bed cluster flats (sui generis) and gym area with associated internal and	Approved

	external alterations, erection of two 2-storey rear extensions, associated landscaping and car parking and Relevant Demolition of existing rear extensions	
16/00275/LB	Listed building application for internal and external alterations to facilitate the phased change of use and conversion of bar, nightclub and shop (A1/A4) to student accommodation comprising 32 studios, one 3-bed, two 5-bed cluster flats (C3), four 7-bed, two 8-bed and one 9-bed cluster flats (sui generis) and gym area, erection of two 2-storey rear extensions and demolition of existing rear extensions	Approved

#### **4.0 Consultation Responses**

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

Consultee	Response
<b>Historic England</b>	No observations to make on the application
<b>Conservation Officer</b>	<b>No objection</b> to the proposed amendments
<b>Lancashire Archaeological Advisory Services</b>	<b>No objection</b> to the proposed variations
<b>Lancaster University Students Union</b>	No observations to make on the application

#### **5.0 Neighbour Representations**

5.1 No representations have been received in relation to the planning application.

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

##### **6.1 National Planning Policy Framework**

Section 4 – Decision Making

Section 16 – Conserving and Enhancing the Historic Environment

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

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 the first quarter of 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council in late 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.

### 6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development  
SC2 – Urban Concentration  
SC4 – Meeting the District's Housing Requirement  
SC5 – Quality in Design

### 6.4 Development Management DPD

DM1 – Town Centre Development  
DM20 – Enhancing Accessibility and Transport Linkages  
DM21 – Walking & Cycling  
DM22 – Vehicle Parking Provision  
DM23 – Transport Efficient and Travel Plans  
DM30 – Development affected Listed Buildings  
DM31 – Development affecting Conservation Areas  
DM32 – Setting of Designated Heritage Assets  
DM35 – Key Design Principles  
DM36 – Sustainable Design  
DM37 – Air Quality  
DM38 – Development and Flood Risk  
DM39 – Surface Water Run-Off and Sustainable Drainage  
DM40 – Protecting Water Resources  
DM46 – Accommodation for Students  
Appendix B – Car Parking Standards  
Appendix D – Purpose Built and Converted Shared Accommodation  
Appendix F – Studio Accommodation

## **7.0 Comment and Analysis**

### 7.1 The application generates the following considerations

- Principal of Development;
- Heritage Considerations; and
- Amenity Considerations.

#### 7.0.1 Principal of Development

##### 7.1.1 Conversion of the Gillows building into student accommodation commenced in 2018. Development is well underway with an anticipated acceptance date for students in September 2019. The proposal maintains the number of studios that was provided as part of the original grant of planning consent, but the scheme has been amended to provide for a different number and configuration of cluster flats. Regardless of this change, the principle of development of the site for student accommodation is established and the mix is considered acceptable.

#### 7.2 Amenity Considerations

##### 7.2.1 With respect to the cluster flats, the bedrooms all adhere to the Council's standards of providing 11 square metres or more of useable floorspace, and the living accommodation for each flat is also considered acceptable. On the whole the outlook for occupiers is acceptable, although there are some rooms, notably on the side elevations of the building, which are impaired given the built form to the north and south. However, as considered with the original grant of consent the benefit of bringing the building back into use outweighs these concerns.

##### 7.2.2 A major consideration of the proposal previously was in relation to noise emanating from the Lancaster University Student Union nightclub 'The Sugarhouse'. Colleagues in Environmental

Health have previously raised no objection to the scheme. Conditions should be imposed in terms of ensuring the development is constructed in accordance with the approved noise report and therefore this is considered acceptable.

### 7.3 Heritage Matters

- 7.3.1 The Gillows is a Grade II Listed building and the original scheme retained and replaced the existing roof lights that run the full length of the roof. Officers were keen to retain this element given the roof lights have value in understanding the past use of the building for furniture manufacturing, as natural light would have been required to facilitate the manufacture of furniture. The form now is for these to be replaced and clustered together as 3 large sections of roof lights, rather than split into a smaller number of roof lights. The case officer continues to have some reservations, but no objection has been received from the Council's Conservation Officer. Nevertheless, a condition should be imposed regarding roof lights.
- 7.3.2 The revision from stone to render for the external walls associated with the amenity area do raise some concerns, though Officers are amenable to the change on the provision that stone coping is included, which the applicant is amenable to. The side elevations of the proposed glazed façades are now proposed to be ashlar stone panels, with panel joints and this can be found acceptable.
- 7.3.3 The elaborate stained glass window on the rear elevation is currently protected via metal grills. The applicant wishes to retain these to protect the feature. Officers are aligned with the applicant in this regard, and therefore it is considered reasonable to retain them. The rear entrance opening has also been reduced as the original scheme required a substantial temporary propping solution. The solution now is to keep a central section of the wall in place and then glaze each side. Whilst views into the amenity area will be reduced, it is considered that overall the scheme is acceptable to Officers.

### 7.4 Other Matters

- 7.4.1 A number of conditions were imposed on the original grant of consent. It is necessary and reasonable to impose these again to ensure that the development is undertaken in accordance with the approved detail. The original consent provided for the development to be phased, but the applicant has confirmed the works will now be undertaken as a single entity.
- 7.4.2 There is still ongoing work being undertaken with respect to contaminated land and the applicant's engineers are working with the Council's Contaminated Land Officer in this regard. There is an approved written scheme of investigation and this has been discharged in part - the reporting will need to be submitted in advance of occupation of the building. There are a number of planning conditions that still require information to be submitted namely material samples, flood evacuation procedures, refuse and cycle storage, bus stop improvement, security and landscaping. However, these can be re-imposed on this consent. The applicant has been liaising with the Air Quality Officer and amended plans in this regard were submitted in January 2019. Observations are awaited.

## 8.0 Planning Obligations

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

## 9.0 Conclusions

- 9.1 The changes proposed by this submission are considered relatively modest and in design terms adopt the spirit of the approved scheme. It is considered that an acceptable standard of living space is provided, taking into account the common room, private dining areas and amenity buffer areas. On balance no objection is offered to the proposed amendments, and with this, it is recommended to Committee Members to support the scheme subject to the planning conditions listed below.

## Recommendation

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

1. Development in accordance with approved plans
2. Development in accordance with the approved construction method statement

3. Development in accordance with the approved contaminated land survey
4. Development in accordance with the approved Written Scheme of Investigation and works to be recorded
5. Development in accordance with the protection measures for the Mill Race
6. Development in accordance with the approved surface water drainage detail
7. Development in accordance with the approved foul water drainage measure
8. Development in accordance with the approved ventilation scheme
9. Development to be undertaken in accordance with a Flood Evacuation Procedure system
10. Building materials
11. Details of refuse arrangements and cycle provision to be provided
12. Upgrade to the bus stop Waring and Gillows – North Road
13. Development to be undertaken in accordance with the approved security measures
14. Finished Floor Levels as detailed within the Flood Risk Assessment
15. Building to be undertaken in accordance with PDA Noise Report
16. No Phase of the development to be occupied or brought into use until the specifications and sound insulation requirements set out in the condition above
17. Restriction to student use only

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

In accordance with the above legislation, the City Council can confirm that it 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.

**Background Papers**

None.