

Agenda Item A7	Committee Date 4 February 2019	Application Number 18/01484/LB
Application Site 21-25 North Road Lancaster Lancashire LA1 1NS		Proposal Listed building application for internal alterations consisting of the provision of mezzanine floors, new stud walls, amendments to the feature stairs, and external alterations consisting of the provision of new windows, doors, louvre grills and roofing material and roof lights, erection of two 2-storey rear extensions and demolition of existing rear extensions
Name of Applicant Mr John Clarke		Name of Agent Mr Sean Smith
Decision Target Date 16 January 2019		Reason For Delay Committee Cycle
Case Officer		Mr Mark Potts
Departure		No
Summary of Recommendation		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 19th 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 20th 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 Listed building consent already exists under application 16/00275/LB and was implemented in 2018. This provided for the removal of the two existing stair towers to the rear, replacement windows and roof, replacement of defective stonework, repair of rainwater goods, replacement roof light and sealing of basement vents. To facilitate the introduction of two glazed extensions to the rear there would need to be the removal of stone lintels, transoms, mullions and sills to allow for bedroom space to be extended.

- 2.2 Internally, the permission provided for the removal of partitions, suspended ceilings, raised floors and floor finishes associated with the nightclub use, the provision of mezzanine floors at ground, first and second floors, removal of timber panelling beneath the main stair to facilitate the new rear entrance and insertion of new stairs to first and second floors. To the rear a new glazed access would be created.
- 2.3 This application proposes the following internal, and external changes, over and above that approved as part of the extant listed building consent (16/00275/LB).

External changes include:

- The extent of the proposed roof lights have 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;
- Retention of metal grills over the stained glass window on the rear elevation.

The changes internally include:

- Removal of a stud partition within the entrance;
- Changes to the 2nd floor layout include amendments to the feature stair, reconfiguration of some studio apartments;
- Changes to the 1st floor and ground 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. Some additional openings are shown in Flat 1.

3.0 Site History

- 3.1 The most relevant permissions are noted 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 in 2018 with costs awarded to the applicant)
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 external alterations, erection of two 2-storey rear extensions, associated landscaping and car parking and Relevant Demolition of existing rear extensions	Approved
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-	Approved

	bed cluster flats (sui generis) and gym area, erection of two 2-storey rear extensions and demolition of existing rear extensions	
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4.0 Consultation Responses

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

Consultee	Response
Historic England	No observations to make on the application
Conservation Officer	No objection to the proposed amendments.
National Amenities Society	No response within the statutory timescales
Lancashire Archaeological Advisory Service	No objection

5.0 Neighbour Representations

5.1 At the time of drafting this report no representations have been received to the Listed Building 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 early 2019. If the Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council in mid-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 Development Management Development Planning Document

DM30 – Development affecting Listed Buildings
DM31 – Development affecting Conservation Areas
DM32 – Setting of Designated Heritage Assets
DM34 – Archaeology
DM35 – Key Design Principles

7.0 **Comment and Analysis**

7.0.1 The NPPF states that when considering the impact of a proposed development on the significance of a designed heritage asset, great weight should be given to the asset's conservation. Similarly, the local planning authority in exercising its planning function should have regard to s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states *"In considering whether to grant planning permission for development which affects a Listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*. Paragraph 192 of the NPPF seeks to express the statutory presumption set out in S66(1) of the 1990 Act. How the presumption is applied is covered in the following paragraphs of the NPPF, though it is clear that the presumption is to avoid harm. The exercise is still one of planning judgment but it must be informed by the need to give special weight to the desirability to preserve the heritage asset.

7.1 **External Alterations**

7.1.1 The proposed amendments to the façade fronting North Road consists of replacing the existing timber sash windows/later louvres with replacement thin frame powder coated metal windows with acoustic glazing in a yale grey colour with top hung casement opening lights. Whilst the windows do not look to replicate timber casings, the steel windows are considered appropriate, though a condition should be imposed requiring precise details, including a further cross section of the windows showing the relationship with the additional glazing required. The entrance which used to serve Mojos/Toast is proposed to be reinstated with the original window fenestration together with repairs to the building include re-roofing (with slate), patch repointing and stonework repair, and repairs to rainwater goods. All these works are considered acceptable and would help preserve the building.

7.1.2 To the rear elevation there would be significant changes with the two external stair towers being removed to make way for two new glazed extension (these have been removed in association with Listed building consent 16/00275/LB). However, to facilitate this there would need to be alterations to the existing windows to create door openings from the proposed bedrooms into the new extension. The loss of original stone mullions, sills (and the wall beneath the sill) and transoms are considered harmful to the building. However, this does not amount to substantial harm. The glazed extensions to the rear of the Gillows are considered to be complementary and innovative to the existing building.

7.2 **Internal Alterations**

7.2.1 The building was heavily modified to be used as a nightclub and bar and the proposal involves a large degree of removal of the later partitions/suspended ceilings. It is considered that the original building's fabric will be revealed by some of these removals (such as revealing the impressive stained glass window to the rear of the building which is proposed to be protected as part of this application). Mezzanine floors are proposed on the ground, first and second floor. Inevitably the new mezzanine floors will have some impact on the historic fabric and notably the transom panel that is proposed on the first floor mezzanine windows. This is proposed to be 110mm deep and on balance whilst there would be some harm created by the introduction of this panel it would not amount to substantial harm. The development would include partition walls to create studios and cluster flats, and therefore the openness of the building would be lost as a result of this development.

7.2.2 To facilitate access, the alteration works within the main entrance would involve the opening up of previously blocked openings, revealing mullioned windows within the rear wall. There will be a need to removal a limited amount of timber panelling beneath the main stairs. However, the applicant is amenable to relocating the panelling elsewhere within the building. This is seen as appropriate and could be conditioned as such. The cast iron columns and internal window surroundings will be retained as part of this development.

7.3 Amendments proposed as part of this application in comparison to 16/00275/LB

- 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. 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 this to protect the feature. Officers are aligned with the applicant in this regard, and therefore it is considered reasonable to retain the grills. 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 if this. Whilst views into the amenity area will be reduced it is considered that overall the scheme is acceptable to Officers.

7.4 Overall considerations

- 7.4.1 On balance, whilst there would be harm to the rear of the building to facilitate the glazed links it is considered that this would not amount to substantial harm and it is considered the development would help to seek to preserve and enhance the Conservation Area in accordance with Policies DM30, DM31 and DM32 of the Development Management DPD. The less than substantial harm caused by the proposal is outweighed by the public benefits of the scheme, including finding a viable and sustainable use for the future of an important and impressive Listed building in the city centre.

8.0 Planning Obligations

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

9.0 Conclusions

- 9.1 The principle of this form of development was approved under 16/00275/LB and it is considered that the minor changes associated with this Listed building application do not undermine, or harm the building to a greater degree than was previously the case. The proposal does generate harm but this is considered to be less than substantial harm, and therefore the test is whether the public benefits of the scheme outweigh the harm caused by the interventions to the building. The key public benefits include bringing the impressive Grade II Listed building back into use and also providing student accommodation in a sustainable location. It is considered that the benefits associated with the scheme outweigh the harm. Officers recommend support of the scheme subject to the planning conditions as noted below.

Recommendation

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

1. Timescales
2. Approved Plans
3. Written Scheme of Investigation – Archaeology
4. Materials (staircase protection measures, schedule of repairs to plasterwork, transom panels to mezzanine, structural steelwork and cast iron columns)
5. Materials (Windows, doors, rainwater goods, roof-lights, external vents and extraction, glass façade materials, materials, lintels, cills and details of lime putty, retention of stained glass)

6. Materials (Stonework repairs, replacement roof, windows and transom, removal of cage, cleaning method, surfacing material for rear amenity space)
7. Materials (Doors, staircase, transom panels, mezzanine floors)

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.

Background Papers

None.