

DECISION DATE 11 January 2007	APPLICATION NO. 06/01513/LB A7	PLANNING COMMITTEE: 22 January 2007
DEVELOPMENT PROPOSED LISTED BUILDING CONSENT TO DEMOLISH 2 NO CHIMNEY STACKS		SITE ADDRESS 29 CASTLE HILL LANCASTER LANCASHIRE LA1 1YN
APPLICANT: Norman Jackson Contractors Ltd Scotland Road Carnforth Lancashire LA5 95Z		AGENT: Harrison Pitt Architects

REASON FOR DELAY

Committee Cycle

PARISH NOTIFICATION

N/A

LAND USE ALLOCATION/DEPARTURE

Lancaster District Local Plan 1996-2006 - The proposed property is a Grade II Listed Building located within the Castle Conservation Area.

STATUTORY CONSULTATIONS

Conservation Team - No objections from a conservation point of view, however the Council's Senior Conservation Officer would like to see the existing chimney pots from the demolished chimneystacks to be reused as part of the development approved on the adjacent site at No. 27 Castle Hill (ref: 03/00502/FUL). The Senior Conservation Officer has had preliminary discussions with the agent with regards to this application.

OTHER OBSERVATIONS RECEIVED

None

REPORT

The property that is the subject of this application is No. 29 Castle Hill - Lancaster's Tourist Information Centre (TIC). This application has been referred to the Planning Committee because Lancaster City Council own the proposed building. However it must be noted that Lancaster City Council are not the applicants of this application. The applicant is Norman Jackson Contractors Ltd - the developers of the adjacent site at No. 27 Castle Hill.

The proposed building is an 18th Century Grade II Listed Building located within an outstanding area of the Castle Conservation Area, surrounded by a number of other significantly important buildings close to the Castle itself. The character and appearance of the streetscene and roofscape are considerably important in this particular part of the Castle Conservation Area, and as such the proposed demolition has to be considered in line with Conservation Area and Listed Building policies contained within the Development Plan.

The applicant has applied for Listed Building Consent for the demolition of two tall chimneystacks on the north side of No. 29 Castle Hill. These stacks have a sand cement rendered finish, which indicates that they are unlikely to have been built at the same time as the property itself. They are not of the mid 18th Century.

Full planning permission was granted in 2003 (Ref: 03/00502/FUL) for the erection of three two-bedroom apartments sited between the Tourist Information Centre (proposed building) and No. 25 Castle Hill. This development is currently seeking commencement. However a Structural Engineer, employed by the applicant, concluded that the chimneystacks of No. 29 Castle Hill were structurally unsound and would be a serious hazard to the workmen on the development site and further harmful of the Listed Building if these structures were to become unstable. As a consequence the applicant wishes to remove the chimney stacks prior to excavation works starting on his site.

The development permitted at No. 27 Castle Hill did propose the removal of the two chimneys on the Tourist Information Centre building but also incorporated a new chimney into the design of the proposed building. From a conservation point of view, the provision of a new chimneystack on the new building mitigates to some extent the loss of these two stacks, although the Conservation Officer has stated that he would like to see the existing chimney pots reused on the new stack.

On this basis Members are advised that this application for Listed Building Consent can be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

RECOMMENDATIONS

That the application be referred to the Government Office North West for a decision with the recommendation that Listed Building Consent be granted subject to the following conditions: -

1. Standard time limit
2. Demolition to be carried out in accordance with the approved plans.
3. Storage of chimney pots to be agreed.