

<b>Agenda Item</b>	A12
<b>Application Number</b>	20/00254/LB
<b>Proposal</b>	Listed building application for the installation for replacement of the valley gutter and the flashing adjacent to the Grand Theatre
<b>Application site</b>	Lancaster Music Co-op, 1 Lodge Street, Lancaster, Lancashire
<b>Applicant</b>	Lancaster City Council
<b>Agent</b>	Miss Jo Clark
<b>Case Officer</b>	Ms Rebecca Halliwell
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval

(i) **Procedural Matters**

This form of development would normally be dealt with under the Scheme of Delegation. However, as the applicant is Lancaster City Council the application must be determined by the Planning Regulatory Committee.

**1.0 Application Site and Setting**

1.1 The application site relates to a former warehouse building which abuts the fly tower to the rear of the Grand Theatre, which is a Grade II Listed building dating from 1782. The date of the warehouse itself is uncertain but it does appear on the c.1890 OS map and is considered to be a non-designated heritage asset. The building is also situated in the Lancaster Conservation Area.

1.2 The building is made up of a large top-lit warehouse of coursed and rubble local sandstone with an adjoining lean-to structure to the rear. Window openings are informal and functional throughout, having been blocked in some areas to facilitate the change of use. On the eastern side, the complex incorporates a single surviving unit of the terrace which appears on the map of 1890. The building currently appears to be in a poor state of repair

**2.0 Proposal**

2.1 Listed building consent is sought for the installation / replacement of the valley gutter and the flashing adjacent to the Grand Theatre.

**3.0 Site History**

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Description	Decision
19/00562/PRETWO	Pre-application request for the segregation of rear lean-to from main building and to make safe	Closed
19/00561/PRETWO	Pre-application request for the full repair of rear lean-to	Closed
08/00866/OUT	Comprehensive redevelopment comprising a retail led mixed used scheme to include demolition of existing buildings and associated structures, the demolition of all residential dwellings, the closure and alteration of highways, engineering works and construction of new buildings and structures to provide, retail, restaurants, cafes, offices, workshop, rehearsal space and residential accommodation, together with ancillary and associated development including new pedestrian link bridge and entranced pedestrian routes and open spaces, car parking and vehicular access and servicing facilities	Refused following Call in by SoS
07/00672/OUT	Comprehensive redevelopment comprising a retail led mixed used scheme to include demolition of existing buildings and associated structures, the demolition of all residential dwellings other than 5 Edward Street, the change of use of a residential dwelling at 5 Edward Street to offices, the closure and alteration of highways, engineering works and construction of new buildings and structures to provide, retail, restaurants, cafes, workshop, leisure, creche, rehearsal space and residential accommodation, together with ancillary and associated development including pedestrian bridge link, new and enhanced pedestrian routes and open spaces, car parking and vehicular access and servicing facilities	Withdrawn
07/00670/CON	Application for Conservation Area Consent to demolish 1 Lodge Street (musicians co-op & dance studio) and associated structures	Refused following Call in by SoS

#### 4.0 Consultation Responses

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

Consultee	Response
<b>Conservation Section</b>	No objection subject to conditions requiring the submission of materials to be agreed prior to their use in the development.
<b>National Amenities Society</b>	No comments received

4.2 Two letters of representation have been received regarding this application which raise no objection but have offered comments raising the following concerns:

- Plans represent a change of use as the first floor plan is labelled 'Performance Hall'. Any loud music performed on this floor would incur noise issues due to no sound protection.
- Impact upon Grand Theatre – permitting the change of use without effective sound proofing measure will compromise the integrity of the Grand Theatre as a historical theatrical value.
- Conflicts with already approved plans – the proposed buttress system will conflict with the design of the car park “levelling off” under the new foyer proposals which have already received planning permission.

#### 5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- **Principle of the development** (NPPF Section 2: Achieving Sustainable Development);
- **Design / Visual Impact** (Development Management DPD Policy DM35, emerging Development Management DPD (2020) Policy DM29 and NPPF Section 12: Achieving well-designed places);
- **Impact upon Heritage Assets** (Development Management DPD Policies DM30, DM31, DM32 and DM33, emerging Development Management DPD (2020) Policies DM37, DM38, DM39 and DM41, NPPF Section 16: Conserving and enhancing the historic environment, and Planning (Listed Buildings and Conservation Areas) Act 1990).

## 5.2 Principle of development

5.2.1 The building is currently in a very poor state of repair and left as such will only deteriorate further. The works described in the application will ensure the building is safe and watertight encouraging long term building use and continued maintenance. In accordance with the NPPF's presumption in favour of sustainable development, which should proceed without delay, the principle of the proposed works is accepted subject to assessment of the following matters.

## 5.3 Design / Visual Impact

5.3.1 Policy DM35 of the DM DPD and Policy DM29 of the emerging Local Plan both require a good standard of design, require proposals to enhance and reinforce the established character of the locality, and require proposals to demonstrate an understanding of the wider context so that they make a positive contribution to the local area.

5.3.2 The proposed works will help restore the application building and enhance the significance of the warehouse and surrounding area. The proposed works would allow the continuation of an active use of this building. They will not be visible and, therefore, will have a negligible impact upon the visual appearance of the application building.

## 5.4 Impact upon Heritage Assets

5.4.1 As a warehouse sited in close proximity to other industrial structures on St Leonard's Gate and brewery lane, the building has evidential value as a contributor to the industrial archaeology of Lancaster, and of the Lancaster Conservation Area. This is augmented somewhat by the survival of a single unit of the former terrace on the eastern side. Likewise, illustrative historical value can be derived from the building's design, scale and position in Lancaster as visual markers of the type of industry which once took place in this area. Limited aesthetic value is derived from the building's Lodge Street elevation, with its clearly functional arrangement of openings. This is significantly compromised by the building's poor state of repair. Very little aesthetic value may be attributed to the rear lean-to. There is no relevant communal value derived from this part of the building. The building forms part of the setting of the Grade II listed Grand Theatre. While the Lodge Street elevation has a neutral impact on the rear elevation of the theatre, views of the building from St Leonard's Gate and the car park to the north currently have a negative impact on the setting of the theatre.

5.4.2 The Listed Building and Conservation Areas Act requires that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the heritage asset. This is reiterated by policies DM30, DM31, DM32 and DM33 of the DM DPD and emerging DM DPD (2020) Policies DM37, DM38, DM39 and DM41. In this regard, the heritage assets include the listed Grand Theatre, the application site which is a Non-Designated Heritage Asset and the surrounding Conservation Area.

5.4.3 The proposal directly affects a Grade II Listed Building. As outlined in the Planning (Listed Building and Conservation Areas) Act 1990, the local planning authority should have a desirability of preserving the Listed Building or any features of architectural or historic interest which it possesses (s.16).

5.4.4 The National Planning Policy Framework (NPPF) outlines that any harm to the significance of a designated heritage asset should require clear and convincing justification (paragraph 194) and great weight should be given to the conservation of the designated heritage asset (paragraph 193). Any harm to the significance of a designated heritage asset should require clear and convincing justification (paragraph 194).

5.4.5 The policies contained in the current and emerging Development Plan state that proposals which involve external and/or internal alterations to a Listed Building which would have an adverse impact on the special architectural or historic character of the building and/or their surroundings will not be permitted. The loss of historic fabric simply to accommodate new will not be permitted. The council recognises the significance of setting to a heritage asset and proposals that fail to preserve or enhance the setting of a designated heritage asset will not be supported by the council. The greater the negative impact on the significance of the designated heritage asset and its setting, the greater the benefits that would be required to justify any approval.

5.4.6 The proposal involves the replacement of the valley gutter and flashing adjacent to the Grand Theatre. Therefore, the works will directly affect the Grade II Listed Building as mentioned above. The proposed works will ensure that the building is watertight and safeguard its continuation. They will not directly harm the Listed building or its setting.

5.4.7 The Conservation consultee shares this conclusion, and therefore the proposal is considered to cause no harm to heritage assets.

## **6.0 Conclusion and Planning Balance**

6.1 It is considered that the minor repair works to the valley gutter and flashing adjacent the Grade II Listed building does not undermine, or harm the building. The proposed works will ensure that no damage occurs to the Listed building due to water leaking down the shared boundary. Overall, the proposed development complies with policies contained within the current and emerging Development Plan, the NPPF and would constitute a sustainable form of development. It is, therefore, recommended that the development is supported and planning permission granted.

## **Recommendation**

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

Condition no.	Description	Type
1	Standard 3 year listed building timescale	Control
2	Approved plans	Control
3	Submission of materials and finishes	Pre commencement
4	Rooflights and roof hatches as per submitted details	Control

## **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.