

DECISION DATE 11 April 2007	APPLICATION NO. 06/01495/FUL A8	PLANNING COMMITTEE: 19 March 2007
DEVELOPMENT PROPOSED AMENDMENT TO PREVIOUSLY APPROVED APPLICATION 05/00560/FUL (NOW TO ERECT 9 FLATS AND 2 HOUSES)		SITE ADDRESS FLEET HOUSE NEW ROAD LANCASTER LANCASHIRE LA1 1EZ
APPLICANT: YMCA Lancaster New Road Lancaster		AGENT: Fisher Wrathall

REASON FOR DELAY

None.

PARISH NOTIFICATION

None.

LAND USE ALLOCATION/DEPARTURE

The site lies partly within the City Conservation Area, and partly within the Castle Conservation Area. The adjacent building is a Grade II listed structure. The properties to the east on New Street are designated as Key Townscape Features.

STATUTORY CONSULTATIONS

English Heritage - No comment to make - the application should be determined in accordance with national and local planning policies.

County Archaeologist - It is likely that previous disturbance at the site will have limited any archaeological finds. However a programme of archaeological work should be agreed via a planning condition.

County Highways - No objections - the removal of the substandard vehicular access onto Bridge Lane is welcomed. They are keen to ensure that the garden area for Unit 3 is not used for the parking of vehicles. A cycle storage condition is also required.

United Utilities - Awaited

Victorian Society - Awaited

Society for the Protection of Ancient Buildings - Awaited

Ancient Monuments Society - Awaited

Environmental Health – No objections.

Strategic Housing - Awaited

OTHER OBSERVATIONS RECEIVED

A resident of Westbourne Road has objected on the grounds that the internal layout has poor natural light, the massing of the roof and rooflights are inappropriate in design and appearance, and the development represents a "bland and pastiche" approach.

The objector also complains about the applicant's failure to use "qualified and registered architects". However this is not a matter that can affect the outcome of the planning application.

REPORT

The Site and its Surroundings

The site that is the subject of this application is located within the centre of Lancaster, adjacent to the main arterial route through the city. Fleet Square is situated at the junction of New Road, Bridge Lane and Damside Street.

The buildings in question comprise of a pair of two-storey, gabled stone structures adjoining the former Pye's Building, which is an imposing five-storey listed structure. To the east of the site lie Bridge Lane and the rear garden of 80 Church Street, which is in commercial use. Commercial uses occupy positions to the south, whilst the majority of the smaller properties to the west on New Road are now in residential use. The nearest properties to the site, numbers 9 and 10 New Road, are within the applicant's ownership.

The Pye's Building is physically connected to the existing structures within the application site, and an internal alleyway forms a barrier between the buildings.

The Site History

Planning permission was granted in June 2005 for the demolition of the current structures and the erection of a three-storey residential development comprising two houses and seven flats (Reference: 05/00560/FUL). The application was deemed to be in accordance with the Local Planning Authority's housing restraint policies by virtue of the fact that it would regenerate a dilapidated site adjacent to a listed building, within a sustainable, urban location.

The design approach adopted at the time was considered appropriate to the locality.

The applicant has since stated that the approved scheme is not financially viable and to achieve this the number of units needs to rise from nine to eleven, comprising of two houses and nine flats.

Comparison with the 2005 Approved Scheme

The general appearance and building form remains similar to that previously approved. The scheme is, in effect, an inverted 'T' shape with a 7.5m wide gable fronting Fleet Square and the bulk of the building recessed to the rear of the site.

The most significant change is the height of the structure, which has been increased to accommodate the two additional units. The rear ridge increases from 10.2m to 12.2m, which is effectively four storeys. This roof also steps down in height towards Bridge Lane, whereas the previous proposal did not. Given

the juxtaposition of this building and its relationship with the taller Pye's Building, this amendment is considered acceptable. Velux windows and ridge rooflights are now proposed - these are only acceptable on condition that they are provided with a low-profile flashing detail, to make them less visually conspicuous.

The rear building is also deeper than shown on the previous consent; it has a depth measuring 8.8m rather than the approved 7.5m. This does not materially affect the character of the development.

The two houses are at the front of the site and will provide a one-bedroomed dwelling and a two-bedroomed dwelling over two floors. The remaining flats are all single-bedroom units.

The scheme now submitted adheres to the pre-application discussions with the Local Planning Authority.

The previous proposal indicated that the two open spaces on either side of the gable structure will provide courtyards. The smaller courtyard will now be a private garden area for Unit 3, which is a more appropriate approach given the potential security difficulties at this end of the site. The larger courtyard was to be enclosed by a stone wall and iron railings. The current layout plans indicate that this will be retained although the elevational plans do not.

The applicant has confirmed that the boundary treatment will remain as previously approved and it is considered prudent to attach a condition requiring precise boundary details to be agreed.

Refuse storage will be provided within the courtyards as shown on the plans.

Proposed Materials

The external elevations will be finished in natural stone, with stone quoins and natural slate to the roof. The south-west elevation, the rear wall of the development, not seen from Fleet Square but partially visible from Bridge Lane, will be finished in a render to be agreed with the Local Planning Authority. Render will also be used on the relatively small visible section of the north-west elevation. The windows will be softwood sash and the rainwater goods will be cast iron.

The courtyard will be flagged in stone and landscaping will be agreed via a condition.

Vehicular Considerations

The County Highways Department has welcomed the proposal because it removes the current, recessed vehicular access off Bridge Lane. Planning conditions will be imposed ensuring that the development cannot be used for car parking.

The site has excellent public transport links adjacent to the Primary Bus Corridor and to the Bus Station. It will be necessary to provide an area for cycle parking within the courtyard, and this will be imposed as a planning condition should consent be forthcoming.

Landscaping

There are several mature trees on the Bridge Lane corner. However none of them are situated within this parcel of land. No tree felling is proposed. Permission would be required for any tree removal in this locality because of the Conservation Area designation.

Conclusion

The principle of development in this location was established in 2005. This slightly larger scheme forms an acceptable proposal that generally follows the pre-application advice provided by the Local Planning Authority.

It will provide residential accommodation in the heart of the city, close to public transport nodes. The design will complement the recent developments in this location and provide a sensitive and appropriate form of accommodation on a prominent part of the Conservation Area.

Members are advised that this is a proposal that 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 **PERMISSION BE GRANTED** subject to the following conditions: -

1. Standard three year consent.
2. Development as per approved plans.
3. Samples of all materials, including the natural stone, quoins, courtyard walling stone and pointing, and natural slate to be agreed.
4. Sample of render finishes to be agreed.
5. Details of roof ridge, verges, abutments, eaves and rainwater goods to be agreed.
6. Details of the double-glazed sash windows and doors to be agreed.
7. Precise details and sizes of rooflights (with EDN Flashing) to be agreed.
8. Precise details of 'oeil-de-boeuf' feature to be agreed.
9. Colours of all woodwork finishes to be agreed.
10. Details of courtyard boundary wall and iron railings and gates to be agreed.
11. Standard landscaping condition.
12. Details of external, shared cycle storage facilities to be agreed.
13. Precise details of refuse storage to be agreed.
14. Closure of existing vehicular access and removal of permitted development rights for the parking of vehicles within the proposed garden area.
15. Restoration of footway following closure of vehicular access.
16. Contaminated land condition.
17. Demolition of the existing buildings shall not occur until a contract for undertaking the redevelopment works has been signed.
18. Hours of construction condition.
19. As required by consultees.