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| DECISION DATE 1 March 2007 | APPLICATION NO. 07/00006/LB A19 | PLANNING COMMITTEE: 19 March 2007 |
| DEVELOPMENT PROPOSED LISTED BUILDING APPLICATION FOR EXTERNAL ALTERATIONS TO RETAINED FACADE AND OTHER ALTERATIONS IN CONNECTION WITH APPLICATION FOR THE ERECTION OF 100 RESIDENTIAL UNITS AND ASSOCIATED WORKS | | SITE ADDRESS KINGSWAY RETAIL PARK CATON ROAD LANCASTER LANCASHIRE |
| APPLICANT: Worksharp (Lancaster) Ltd C/o Agent | | AGENT: Turley Associates |

REASON FOR DELAY

To co-ordinate with REM application

PARISH NOTIFICATION

N/A

LAND USE ALLOCATION/DEPARTURE

The site contains the Grade II Listed facades to the former bus depot.

STATUTORY CONSULTATIONS

County Archaeologist - No comment.

Environment Agency - No objection - condition requested re. flood evacuation plan.

County Highways - No objection subject to minor amendments and conditions.

Environmental Health Officer - No objection subject to existing outline condition being repeated.

Housing Policy Officer - No comment.

English Heritage - Have been involved in pre-application discussions and support this much improved proposal which will make a positive contribution to the character of the area.

Lancaster Civic Society - Objects - poor design and inappropriate form and materials - inadequate articulation of the main elevation, incongruous projecting balconies, lack of roofscope, lack of green space and detrimental impact on the Listed Building.

CABE - No comment.

Police - Development should achieve "Secured by Design".

City Contract Services - No comment.

County Planning - No response received.

OTHER OBSERVATIONS RECEIVED

Six letters have been received objecting to the proposal on the following grounds:

The eight storey building is completely incongruous and out of keeping with the character of the city and would seriously detract from all the fine work done in the city in recent years to enhance the built environment.

The building looks like a World War II fortification designed to discourage visitors to the city.

The building is too close to residential properties on Bulk Road and would be overbearing and un-neighbourly and would result in loss of privacy and amenity.

Lack of green space and loss of cherry trees, car park access for 100 cars will exacerbate congestion on Back Caton Road.

One letter has been received supporting the principle of the development but suggesting that a stronger feature is needed at the end facing down Caton Road and the top two floors should be stepped in, perhaps with a mansard roof, even at the expense of an extra floor.

A further letter from Councillor Whitelegg objects to the proposal briefly on the following grounds:-

- . Inappropriate scale and extended footprint;
- Threat to two mature cherry trees;
- Inappropriate location for residential developments in an area of poor air quality;
- Overlooking and loss of amenity to nearby residential property;
- Increased traffic generation and congestion.

REPORT

This application should be considered in association with application No. 07/00005/REM which appears elsewhere in this Schedule.

The comments in respect of this application are as set out in the report on that proposal and essentially have the support of English Heritage and the Council's Conservation Officer.

If the Committee is minded to support application No. 07/00005/REM therefore it is recommended that this application can also 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 subject to the satisfactory outcome of the outstanding consultations and the submission of final amended plans, **LISTED BUILDING CONSENT BE GRANTED** subject to conditions covering the following issues:-

1. Standard Listed Building Consent.
2. Amended plans.
3. Development in accordance with approved plans.
4. No demolition until a contract for the development of an approved re-development scheme has been let.
5. Detailed scheme of works for the retention and conservation of the Listed Building to be agreed and implemented.