

<b>Agenda Item</b>	A8
<b>Application Number</b>	20/00964/FUL
<b>Proposal</b>	Change of use and conversion of existing warehouse (B8) to student accommodation (C3) comprising of 16 1-bed studios, erection of 3-storey side extension, installation of dormer extensions, installation of new window and door openings, installation of rooflights and solar panels to the roof and erection of a 3-storey building for student accommodation comprising 8 1-bed studios with associated plant room and bin store and erection of a bin store and installation of drainage infrastructure
<b>Application site</b>	J Wedlake And Son Wheatfield Street Lancaster Lancashire
<b>Applicant</b>	Mr. K. Jayousi
<b>Agent</b>	HPA Chartered Architects
<b>Case Officer</b>	Mr Robert Clarke
<b>Departure</b>	No
<b>Summary of Recommendation</b>	Approval

## 1.0 Application Site and Setting

- 1.1 The site that forms the subject of this application is a former engineering works situated within a rectangular plot and which includes a large 3-storey building at its eastern end and a large forecourt service yard at the western end. There are also remnants of previous smaller ancillary buildings located on the western and northern boundaries. The site fronts and is accessed from Wheatfield Street and is located close to the junction with Meeting House Lane. The frontage of the site consists of a wide gated access. The existing building is set back within the site, this has a rendered frontage with natural stone walls to the side and rear elevations. The roof is a natural slate pitched roof which sits behind a parapet to the front elevation.
- 1.2 The site is wholly surrounded by residential properties with the 4-storey side elevation of St James Court immediately abutting the northern site boundary. To the south lies Wheatfield Court a complex of residential properties. On the opposite side of Wheatfield Street to the west of the site is a recently built residential development which includes houses and flats on the site of a former car dealership and service garage. Beyond this lies the west coast railway line. To the east are the residential dwellings located on Dallas Road. Land levels to the north of the site are slightly higher as levels decrease from Meeting House Lane down the length of Wheatfield Street.
- 1.3 The site is located within the Lancaster Conservation Area, and in close proximity to the Lancaster Air Quality Management Area. The surrounding highway network forms part of the residential

parking permit scheme. A number of designated heritage assets are located along the northern side of Meeting House Lane including the Grade II\* listed Friends Meeting House.

## 2.0 Proposal

2.1 This application seeks planning permission for the change of use of the existing warehouse building to form student accommodation (Use Class C3) comprising 16 studio apartments and ancillary plant rooms and bicycle storage space. The proposal includes the erection of a 3-storey side extension to the southern elevation, installation of two dormer extensions to the southern roof slope, installation of rooflights and solar panels and installation of new window and door openings throughout. In addition, a new part 3-storey and part single storey building is proposed at the western boundary of the site fronting Wheatfield Street, and which will extend along the northern boundary of the site. This building will comprise of a further 8 student studios (Use Class C3) and associated ancillary plant rooms and bin storage area. An additional bin storage facility is proposed on the southern boundary of the site whilst the proposal also includes drainage infrastructure.

## 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	Proposal	Decision
16/01412/OUT	Outline application for the erection one 3 storey and one 4 storey buildings comprising 14 apartments (C3) with associated access and Relevant Demolition of general industrial building (B2) and ancillary outbuildings	Withdrawn
17/01219/OUT	Outline application for the erection of a 2 storey and one 4 storey buildings comprising 12 apartments (C3) with associated access and relevant demolition of general industrial building (B2) and ancillary outbuildings	Permitted
20/00256/PRETWO	Conversion of existing warehouse and construction of new block for residential / student accommodation	Advice provided

## 4.0 Consultation Responses

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

Consultee	Response
<b>Conservation Team</b>	The principle of development could result in an enhancement to the character of the site and buildings, improving the sites contribution to the Conservation Area. Further information was requested with regards to the proposed material palette.
<b>County Highways</b>	<b>No objection</b> subject to a condition requiring the submission and agreement of a construction traffic management method statement, and provision of cycle storage facilities for a minimum of 12 bicycles.
<b>Environmental Health</b>	Initial objection to the proposed development in light of the advice provided by Network Rail regarding noise and vibration. Following clarification with the Environmental Health Officer, the submitted noise assessment and its recommendations is considered appropriate.

<b>Lead Local Flood Authority</b>	<b>No objection</b> subject to conditions requiring the submission and agreement of a detailed surface water drainage scheme including management plan and verification report.
<b>United Utilities</b>	<b>No objection</b> subject to conditions requiring the submission and agreement of a surface water drainage scheme including management plan, restriction of flow rate and foul and surface water drainage on separate systems.
<b>NHS</b>	Contribution required towards the extension and reconfiguration at Queens Square Medical Practice & King St surgery amounting to £3560.00.
<b>Strategic Housing</b>	No response received
<b>County Strategic Planning and Transport</b>	No response received
<b>Network Rail</b>	Advice provided regarding the potential impact of Network Rail operations upon residential amenity.
<b>Arboricultural Officer</b>	No objection to the development or the recommended tree works.
<b>University of Cumbria</b>	No response received
<b>LUSU Housing</b>	No response received
<b>Lancaster University</b>	Comments provided regarding evidence of the supply and demand for student accommodation, recommendation for the development to form part of the LU Homes scheme, adherence to relevant fire safety requirements and provision of sufficient amenity for residents with respect to outlook, daylight, noise, air quality.
<b>Fire Safety Officer</b>	Advice provided regarding Building Regulation requirements.
<b>Lancashire Constabulary</b>	No response received
<b>Lancaster Civic Society</b>	Broadly in support of the proposal though questions the requirement for further student accommodation instead of an open market residential scheme. The retention and re-use of the existing warehouse building is welcomed, and the proposed new build element appears appropriate.
<b>Engineering Team</b>	<b>No objection</b> subject to conditions requiring the submission and agreement of a detailed surface water drainage scheme including management plan.
<b>Planning Policy</b>	No response received
<b>Waste and Recycling</b>	Advice provided regarding the provision, layout and operation of waste storage facilities.
<b>Natural England</b>	<b>No objection</b> subject to mitigation in the form of homeowner packs being provided to each unit of accommodation and noticeboards being displayed in communal areas.

4.2 3 letters of objection have been received by the Local Planning Authority raising the following matters:

- Impact of development on local parking demand.
- Increases in traffic congestion.
- Worsening air quality/pollution levels.
- Effects of contamination.
- Impact of the construction phases of the development on surrounding residents.

- Need for student accommodation and housing imbalance.

## 5.0 Analysis

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

- Principle of development and loss of employment use
- Layout, design and heritage
- Amenity and standard of accommodation
- Contaminated land, noise, air quality and vibration
- Highways and parking
- Biodiversity and trees
- Flood risk and drainage
- Other material considerations

5.2 **Principle of development and loss of employment use SPLA DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy. Development Management DPD Policies DM1: New Residential Development and Meeting Housing Needs, DM7: Purpose Built Accommodation for Students, DM14: Proposals Involving Employment and Premises. National Planning Policy Framework sections 2, 6, 8, 9, 11, 12 and 16.**

5.2.1 The proposed development will result in the loss of an established employment site, the subject building has historically been utilised for general industrial B2 and B8 uses including engineering operations and associated storage and distribution. Policy DM14 seeks the retention of land and buildings that are in an active employment use, have a previous recent history of employment use, or still have an economic value worthy of retention. Proposals that involve the use of employment land for alternative uses, such as residential, will only be permitted where one of the stipulated criteria are met.

5.2.2 Criteria VII. of DM14 permits the loss of such uses in instances where a particular location has such exceptionally severe site restrictions, due to very poor access or servicing arrangements, or surrounding land uses which make a continuing employment use inappropriate. The subject site is now wholly surrounded by residential properties, the occupants of which would be particularly sensitive and susceptible to noise and disturbance arising from ongoing industrial operations. For this reason, the site is considered to be significantly constrained and is such that its continuing use for industrial purposes would be harmful to the amenity of surrounding occupants.

5.2.3 Furthermore, outline consent has previously been granted under application reference 17/01219/OUT for the erection of a 2-storey building and a 4-storey building comprising 12 apartments (C3) with associated access and relevant demolition of general industrial building (B2) and ancillary outbuildings. It is, therefore, considered that the previous consent has also established the principle of residential development on the site.

5.2.4 The site is situated in a central sustainable location, close to local services and facilities. It is within good walking distance of the University of Cumbria and close to good public transport (bus routes) to Lancaster University. Policy DM7 states that student accommodation should be situated in Lancaster City Centre (or adjacent) subject to the development being appropriate to the character of the local area in terms of design, layout and materials. Policy DM7 also states that proposals for student accommodation may be supported where they would provide an appropriate standard of self-contained accommodation (in accordance with Appendix G of this DPD) and would accord with all other relevant planning policies. Policy DM29 states that development should contribute positively to the identity and character of the area through good design, having regard to local distinctiveness, appropriate siting, layout, palette of materials, separation distances, orientation and scale.

5.2.5 Matters of design and residential amenity are discussed in more detail below. Subject to the proposal satisfying relevant criteria in this regard and all other material considerations, the site is considered to be suitable for the proposed use as self-contained studio accommodation for student use.

- 5.3 **Layout, design and heritage** Development Management DPD DM7: Purpose Built Accommodation for Students, DM29: Key design principles, DM30: sustainable design, DM38: Development Affecting Conservation Areas, DM39: The Setting of Designated Heritage Assets. National Planning Policy Framework sections 12 and 16.
- 5.3.1 The impact of the proposal on the Conservation Area must be assessed according to the statutory duties of the Local Planning Authority under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. In addition, Development Management DPD policies DM38 and DM39 are also relevant to this proposal. NPPF Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 5.3.2 Consent has previously been granted in 2017 for development which involved the demolition of the existing warehouse building within the site and replacement with new residential buildings. The proposed development now involves the retention and conversion of the existing warehouse structure which is welcomed. The warehouse appears to be an interwar structure the presence of which aids in appreciating the former industrial nature of this part of the Lancaster Conservation Area, which has largely been lost. Local press articles from the 1930s list both a printworks and building contractor's premises on Wheatfield Street as such it is possible that the warehouse building belonged to either of these. The Lancaster Conservation Area Appraisal (2013) concluded that the warehouse made a neutral contribution to the character of the Conservation Area.
- 5.3.3 The retention of this structure presents an opportunity to enhance the character and appearance of the building, thereby improving its contribution to the Conservation Area. The proposal includes the insertion of new floor levels within the building which is facilitated by the generous scale of the building envelope. This will involve the insertion of new window openings throughout the structure. The fenestration of the building is key to understanding the structures industrial nature, warehouse buildings are characterised by large and repetitive window openings in order to provide sufficient daylight internally. The principal elevation of this structure is proposed to feature rows of relatively large and repetitive openings which are considered to replicate the warehouse character. The exact design of the window frames to be used will also be important in expressing the industrial character. Whilst these details are not yet known, the use of slim metal framed units with appropriate reveals and glazing patterns would be appropriate, this can be controlled by way of planning condition.
- 5.3.4 The blank elevations to the north and east of the building will be retained. The existing windows to the southern elevation will be removed and replaced with recessed render panels. The removal of these windows is required given they directly face the adjacent property on Wheatfield Court and would lead to an inappropriate relationship with these residential dwellings, as such their removal is supported. The use of recessed render panels will ensure that the former location of these openings can still be appreciated externally, whilst the render will complement the finish of the front elevation.
- 5.3.5 The proposal also includes the erection of a 3-storey extension to the southern side elevation towards the rear of the building. This will feature an angled footprint with a maximum width of 1.6 metres, length of 4 metres and a flat roof with a height of 8.8 metres. Externally the extension will be finished with zinc cladding and glazed panels. The extension is required so as to provide external access to the bike storage facility on the ground floor and outlook and daylight to studio 8 and studio 13 on the first and second floors. Due to its location, the extension will be relatively inconspicuous when viewed from the site entrance on Wheatfield Street. However, views of this structure will be achieved from Wheatfield Street to the south, particularly from the parking area behind the Dallas Road dwellings. The design of the addition is clearly contemporary, and the use of metal cladding will create a modern yet industrial character which will complement that of the original building. Subject to a condition requiring the agreement of the external cladding, glazing and finer constructional detailing, the extension is considered to be an acceptable addition in design terms.
- 5.3.6 The application also proposes the installation of two flat roof box dormer extensions to the southern roof slope. These will measure 2.8 metres wide, 1.35 metres in height and feature a projection of 1.4 metres. They will also be partly recessed into the roof of the structure and so will feature a flat roof section in front of them. The dormers are required in order to provide suitable outlook to studios 15 and 16 which are located at roof level on the third floor. The dormers proposed are considered to be relatively small and unobtrusive in proportions whilst the use of dark coloured external cladding

will provide a subservient and subdued finish. This finish will also provide continuity with the finish of the side extension which is located on the same elevation. From the front elevation the dormers will be pre-dominantly screened from view by the parapet. As with the extension, subject to a condition requiring the agreement of the external cladding, glazing and finer constructional detailing, the dormers are considered to be an acceptable addition in design terms. The proposal also includes the introduction of rooflights and solar panels to both roof slopes. These are considered to be acceptable in design terms subject to the use of appropriately designed and integrated finishes in order to reduce their prominence and provide a sleek and uncluttered appearance to the roof.

- 5.3.7 The proposed new build residential block fronting Wheatfield Street will reinforce the building line in this part of the Conservation Area. This new building takes design cues from the existing building behind and will serve to create a cohesive identity to the site. The building will measure 10.9 metres in width, 13.2 metres in depth including the rear stairwell and will feature a ridge height of approximately 8.8 metres. The proposed scale and massing are appropriate to the context and raise no concerns. During the determination period, minor design changes have been negotiated with the developer, these include alterations to the 2-storey flat roof element to reduce its prominence and accentuate the gabled frontage, alterations to the fenestration to provide a more industrial character coherent with the wider site and alterations to the rear stairwell to improve the relationship with the adjoining property. To the rear of the new building will be a single storey element which extends along the northern boundary of the site and adjoins the neighbouring building with a canopy. This will feature a length of 16.7 metres, a width of 3.75 metres and a flat roof construction with a height of 3 metres. This element of the proposal will be finished externally with zinc cladding in order to match the proposed side extension and dormers and provide continuity in appearance throughout the finished development. The single storey structure will be screened from view from Wheatfield Street by the larger 3-storey structure. Subject to a condition requiring the agreement of details and samples for the material palette and finer constructional detailing, the proposed new build element of the development is considered to be acceptable in design and heritage terms.
- 5.3.8 The access to the site from Wheatfield Street will be retained, the proposed site plan shows the proposal for both pedestrian and vehicular gates set back within the site. The site has historically benefitted from a gated arrangement, and it is considered the retention of gates would be acceptable in design and appearance terms, subject to the agreement of their final appearance which can be secured by condition.
- 5.3.9 A detached bin store is proposed along the southern boundary of the site, this will feature a combination of walling with a timber fence topper. This structure will be sited close to the front elevation of the existing warehouse and within a stepped section of the southern boundary and so will be partly screened from view from Wheatfield Street. Views of the site as a whole will be achieved from the private courtyard within the centre of the Wheatfield Court development. From this vantage point the bin store will form part of the southern boundary enclosing the site. Details of both the final materials used in the construction of the bin store as well as the boundaries of the site will be the subject of a condition. The proposed bin store elevation plans allude to a timber close boarded fence along the southern boundary of the site, however, it is considered that a more formal and substantial structure such as a stone or rendered wall would be more appropriate given the location of the site within the conservation area.
- 5.3.10 It is considered that the design, layout and appearance of the proposed development is appropriate to the character of the local area. The proposal presents an opportunity to bring back into use a redundant site and enhance its appearance and improve its contribution to the character and setting of the conservation area. Subject to the agreement of the aforementioned samples and details, the proposal fully complies with the design requirements of policies DM7, DM29, DM38 and DM39.
- 5.4 **Amenity and standard of accommodation** Development Management DPD DM7: Purpose Built Accommodation for Students, DM29: Key design principles. National Planning Policy Framework section 12.
- 5.4.1 The site is located within an urban environment close to Lancaster City Centre, it is an area characterised by a dense pattern of development with reduced separation distances between adjoining properties. As a result of the prevailing built form and reduced separation, there is already a degree of mutual overlooking already established between surrounding buildings. The conversion of the existing warehouse building will result in a change in the manner of its occupation, with

residents present on a more consistent or permanent basis rather than during working hours as would be expected with an employment use.

- 5.4.2 The proposal includes the creation of new window openings on the front western facing elevation which would be the primary outlook for the majority of the studio apartments within. The higher-level windows on this elevation, particularly those serving studios 6/7/11/12 would achieve angled views of the rear elevations of the westernmost Wheatfield Court properties. The separation distance between the studio windows and the windows of the closest Wheatfield Street property will be approximately 19.5 metres. Despite falling slightly below the recommended separation distance of 21 metres for such relationships, it is considered this layout can be supported in this denser urban environment. Furthermore, the separation distance of 19.5 metres falls only 1.5 metres less than the direct relationship achieved between the Wheatfield Court properties themselves.
- 5.4.3 The proposed angular 3-storey side extension will be located on the southern elevation of the warehouse building and close to the southern boundary of the site. A distance of 1 metre extending to 2.1 metres (due to the angled footprint) will be retained between the side elevation of the extension and the shared boundary with No. 1 Wheatfield Court. The extension will reduce the separation distance between the warehouse and shared boundary/rear garden of the adjacent Wheatfield Court property, however, it is considered that it will not be unacceptably overbearing. The warehouse structure already presents itself as a large structure providing a solid and imposing northern boundary to the Wheatfield Court buildings. The developments' location to the north also means that it will not implicate existing daylight levels for surrounding properties nor restrict views of open sky from windows or within the gardens. Therefore, in light of the pre-existing relationship between this dwelling and the warehouse and the siting and subservient form of the angular extension, it is considered that it will not significantly alter or exacerbate the existing relationship between these structures. Furthermore, there is a cluster of mature trees located off-site but which overhang the development site. Whilst pruning works will be required to these trees in order to facilitate the extension and dormers, the trees will be retained and will continue to provide a natural buffer between the development and adjacent garden. It is also necessary to acknowledge siting and layout that was approved as part of the previous 2017 outline application. This development included the erection of a new building in this part of the site to replace the warehouse structure. This new building had a separation distance of 1.3 metres to the shared boundary for the entire 9.3 metres of its southern elevation. Whilst the proposed extension reduces the separation at the closest point to 1 metre, the footprint of the extension is much reduced and a greater separation is retained for the remainder of the buildings length. Relative to the footprint and separation of the previously approved 2017 building, the proposed extension is considered to be appropriately sited and proportionate and maintains an acceptable relationship with the neighbouring dwelling.
- 5.4.4 The proposed angular extension will feature high-level windows to its southern facing elevation, which will directly face the parking area to the rear of the Wheatfield Court properties. These are high level windows intended to provide additional daylight internally to the studio rooms and as such their cill level will be located 1.7 metres above internal floor level according to the submitted plans. Their siting will effectively prevent views of the neighbouring gardens, with the occupants of the studios being able to view open sky and roofscape only. The western facing elevation of the extension provides the principle outlook for studios 8 and 13. The extension features an angled footprint which, combined with the deeper window reveal and formation of an extended side elevation to form a privacy screen, prevents views of the rear elevation of the Wheatfield Court properties. Instead, the views from these studios are directed westwards between the side elevation of the adjacent residential properties and the side elevation of the warehouse structure itself. As a result, the extension will not result in unacceptable levels of overlooking or harm the privacy of the surrounding residents.
- 5.4.4 The proposed dormer extensions are located to the southern roof slope of the warehouse building. The dormers are setback within the roof slope meaning there is a flat roof section and pitched roof section extending in front of them. This flat and pitched roof form serves to restrict downward views from the studios to the residential properties below. Instead, the studios served by the dormers will experience expansive views over the roofscape of the Wheatfield Court and Dallas Road properties but with views of the closest private garden spaces restricted. Studio 14 is proposed to benefit from rooflights to the northern roof slope as its means of outlook. The northern elevation and roof slope of this building abuts the rear gardens of the adjacent dwellings on Meeting House Lane. When originally submitted, the proposal included dormers to this elevation, however, due to the level of

direct overlooking that would have been achieved, this would have resulted in an uncomfortable and oppressive relationship with the adjoining dwellings and their garden space. As such, the dormer to this elevation has been replaced by rooflights. The rooflight proposed, formed by three rooflight units set in a row, will be located with the cill approximately 1 metre above internal ground level. However, due to their position within the roof slope and level change between the rooflight and private garden below, views of this garden will not be achieved. Views of the rear elevation windows of the Meeting House Lane dwellings, in particular No. 21, will be available, but a separation distance of 29 metres is retained, which exceeds the Councils recommended separation distance for such relationships. Furthermore, the private gardens of the Meeting House Lane dwellings are already overlooked to a degree by the northern facing windows of the St James Court properties, which have a direct line of site and reduced separation distance to these dwellings. The presence of higher-level rooflights, as opposed to direct facing dormers, in the northern roof slope will not result in diminished levels of privacy for this dwelling or result in a more oppressive relationship in this context.

- 5.4.5 The front elevation of the new-build structure will feature windows serving the studio apartments, these windows face westwards and towards the recent residential development opposite. The site is located directly opposite the gap between two of the opposing residential blocks and so unimpeded views between these two buildings are achieved. The separation distance between the studio apartment windows and windows of the apartments opposite is around 19 metres which in this more urban environment is considered to be appropriate, particularly as the views are over the intervening public highway.
- 5.4.6 The new build structure also abuts the northern boundary and the southern elevation of the adjacent building of St James Court. Historically, a number of ancillary structures were located along this northern boundary, as such the principle of including built form in this location is supported in layout and design terms. However, there are also a number of windows serving residential flats within the adjacent southern elevation which development must be conscious of. These windows are located in the first-floor level flats and serve the bedroom, kitchen and bathroom of one flat and the bathroom and kitchen of another flat. The new-build structure will feature a two-storey flat roof element which will adjoin the southern elevation of the adjacent property. The flat roof of this part of the structure will sit below the cill of the adjacent window. However, the dual pitch roof will then extend upwards, such that the ridge of the structure would restrict views out of the adjacent windows. The views retained would be of the sloping natural slate roof.
- 5.4.7 It is considered that this relationship can be supported in this instance. Firstly, the bedroom window of the first flat within the adjoining building features a larger primary window on the western elevation overlooking the public highway which would be unaffected by the development. The kitchen windows of both flats are also implicated, however, these are small kitchen spaces and do not include dedicated dining spaces. Such kitchens are not considered habitable spaces in the same manner as combined kitchen, dining and living spaces and so do not require the same level of outlook or natural daylight. Both of these flats benefit from larger lounge spaces which are unaffected by the development and within which living and dining space is provided. Furthermore, it is also acknowledged that whilst the proposal would restrict views from these windows, outlook is not fully prevented. Residents of the adjoining flats would retain a view of the slate roof slope of the development and would also retain views of open sky. As such, whilst outlook would be restricted, it is considered that the implicated windows would still benefit from adequate levels of natural daylight. Finally, the layout of the new-build development and its relationship with the adjacent building is approximately the same as the development approved as part of the 2017 outline application. As such it is considered the precedent for such a relationship has already been found acceptable.
- 5.4.8 With respect to the standard of amenity for residents of the studio accommodation, Policy DM7 and associated Appendix G sets out that standard of accommodation that must be achieved. With respect to self-contained studios, rooms must be a minimum of 19m<sup>2</sup> in floor area, whilst plans must demonstrate the way in which required furniture can be accommodated. All rooms within the development designed for single occupancy and are of generous proportions with the smallest room measuring approximately 26m<sup>2</sup>. The plans show the way in which the stipulated furniture can be accommodated within each room and how each studio can be segregated into separate zones.
- 5.4.9 All studios must also benefit from acceptable outlook and daylight and in this regard, the proposal development is considered to provide acceptable levels of amenity. The outlook for studios



1/2/4/5/6/9/10/11 faces west towards the blank rear elevation of the new-build structure. There is a separation distance of 17.5 metres between these windows and the adjacent structure which exceeds the recommended 12 metres for such outlook. Studios 8 and 13 are located at the first and second floors towards the rear of the existing warehouse building. The outlook for these studios is located within the angular side extension with the principle window facing westwards. The views achieved from the first-floor window of studio 8 will be framed by the side gable elevation of the adjacent Wheatfield Court property and side elevation of the warehouse building. Whilst this will reduce the field of view for this studio, the view westwards between the structures is unimpeded, as such it is considered that the outlook from this first floor window is acceptable. The high-level window will also serve to complement daylight levels within this space. The view achieved from the second-floor window of studio 13 would be above the ridge of the adjacent residential property and so would not be as restricted as the studio below. It is considered that acceptable outlook and daylight is achieved for both of these studio apartments.

5.4.10 Studios 15 and 16 are to be served by the dormers on the southern roof slope with rooflights within the bathroom spaces. These studios will benefit from unimpeded outlook over the surrounding roofscape as well as acceptable levels of daylight. Studio 14 is also located at roof level on the third floor. This studio will be served by a row of three rooflights over the main habitable space and a single smaller rooflight within the bathroom. In most cases, the use of rooflights as the sole means of outlook is generally avoided. However, it was considered that a dormer on this side of the building, as originally proposed, could not be supported in light of the relationship with the neighbouring dwellings. The rooflights proposed are relatively large and as shown on the submitted section plan, the head and cill of the units are such that an acceptable viewing angle and outlook would be achieved for the occupant without being excessively overbearing for the neighbouring dwelling. The rooflight units would also provide generous levels of daylight. In this particular instance, it is considered that the proposed rooflight arrangement can be supported.

5.4.11 Studio 17, which is located within the single storey structure, and the studios within the three-storey new building structure all benefit from acceptable outlook with adequate separation distances to surrounding buildings as well as acceptable levels of daylight.

5.4.12 Overall, it is considered that the change of use and re-development of this site can be undertaken without resulting in unacceptable impacts upon the standard of amenity that surrounding residents can reasonably expect to enjoy. Furthermore, the proposal is considered to secure an acceptable standard of amenity for the occupants of the proposed studio accommodation. Moreover, the layout of the proposal is such that the building could be converted to a hotel or residential use which demonstrates its flexibility in accordance with Policy DM7.

5.5 **Contaminated land, noise, air quality and vibration** Development Management DPD DM29: Key design principles, DM31: Air Quality Management and Pollution, DM32: Contaminated Land. National Planning Policy Framework sections 11, 12 and 15.

5.5.1 In light of the previous industrial use of this site, the sensitive nature of the use proposed and surrounding land-uses, the application is supported by a preliminary geo-environmental appraisal. This phase 1 desk-survey recommends that further phase 2 survey efforts with respect to contamination and required remediation measures is undertaken. In the context of the history of the site and the nature of the proposed use, it is considered that such further contamination assessment efforts and any necessary remediation measures can be secured by way of planning condition.

5.5.2 The application site is located close to the city centre and in close proximity to operational Network Rail land. Network Rail have provided a consultation response, in which they suggest detailed correspondence between the development and Council be undertaken to fully ascertain the potential impacts of the rail network upon the standard of amenity of the occupants of the accommodation. The application is supported by a noise assessment, this has established background noise levels in this location and recommends a specific glazing and ventilation strategy. This has been reviewed by the Councils Environmental Health Officer who considers the noise assessment methodology to be robust and the glazing specification satisfactory. A condition is recommended to ensure that the windows are installed in accordance with the correct glazing specification. Whilst the report sets out that a ventilation system will also be required and details potential options including trickle vents or a positive input system, a second condition is

recommended requiring the agreement of a detailed ventilation scheme and its installation, given the noise assessment is not conclusive on this matter.

- 5.5.3 The site is also located in close proximity to the city centre and is located close to the Air Quality Management Area. As such the proposal is accompanied by an air quality assessment. This assessment sets out that concentrations of NO<sub>2</sub> and PM<sub>10</sub> are below their respective long and short-term objectives at the proposed development site. It is considered therefore that the development site suitable for residential use with regards to air quality. In order to encourage more sustainable forms of travel, the proposal will include sufficient cycle storage facilities for the occupants of the development. Furthermore, the air quality assessment sets out the development will include two electric vehicle charging points which will help encourage low emission vehicle use. The provision of both the cycle storage and two 7.4kW electric vehicle charging points can be secured by condition.
- 5.5.4 The Councils Environmental Health Officer has considered the location of the development and its relationship with the operational rail network with particular reference to the impact of vibration. The application is supported by a letter from the applicant's representative setting out that a full vibration assessment would not be necessary in this instance. The application site lies 38 metres from the nearest railway track and 55 metres from the railway station. In light of this separation distance and the approach taken with other planning applications closer to the rail network, the Councils Environmental Health Officer considers that a vibration assessment is not required in this instance.
- 5.6 **Highways and parking** Development Management DPD DM29: Key design principles, DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling; DM62: Vehicle Parking Provision. National Planning Policy Framework sections 9 and 12.
- 5.6.1 The site already benefits from an established point of access from Wheatfield Street which will be retained as part of the development. The proposal has been reviewed by the County Highways Officer who is satisfied that the proposed development and continued use of the existing access will not have a negative impact on the operation of the local highway network.
- 5.6.2 The proposal incorporates 5 on-site vehicular parking spaces and includes sufficient space within the layout of the internal courtyard to enable vehicles to manoeuvre within the site. The operation and management of these parking spaces would be undertaken by the site operator. Clearly, there would not be sufficient parking for all residents of the development, however, the site is located within a central and accessible location close to public transport services which would provide alternative forms of travel. In addition, the local highway network is heavily constrained by traffic and parking controls, including the residential permit holder parking scheme, whilst a number of public car parks are located close by. Whilst concerns have been raised by local residents regarding the effect of the development on parking demand, it is considered that the presence of alternative options for travel and various parking restrictions will ensure that the use of vehicles will be discouraged and parking demand appropriately managed.
- 5.6.3 The proposal includes an internal dedicated bike store to the ground floor of the existing warehouse building with both internal and external access points. Whilst the exact number and details of the storage facilities within this space have not been confirmed, the storage room measures 18m<sup>2</sup> as such it is considered that sufficient cycle storage for the 24 studios can be provided. A condition requiring the number and details of the storage facilities and their installation prior to occupation is recommended.
- 5.6.4 The County Highways Officer has requested a condition requiring the submission, agreement and implementation of a construction traffic management method statement. The control and use of the highway during the construction phase of the development should be managed through appropriate highways legislation by the County Council themselves rather than through the planning process. As such this condition is not recommended.
- 5.7 **Biodiversity and trees** Development Management DPD DM29: Key Design Principles, DM44: The Protection and Enhancement of Biodiversity, DM45: Protection of Trees, Hedgerows and Woodland. National Planning Policy Framework section 15.

- 5.7.1 There is a cluster of mature alder trees located within the car parking area to the rear of the Dallas Road/Wheatfield Court properties. These trees are located outside of but in close proximity to the development site, both branches and their root systems extend into the development site. Due to the size of these trees and their location within the conservation area, they are protected by the provisions of Section 211 of the Town and Country Planning Act 1990. The application is supported by an Arboricultural Implications Assessment which concludes that an overhanging limb and a number of branches of these trees will require removal as they are in close proximity to the existing warehouse structure and will prevent the construction of both the proposed extension and dormers. Specific details as to which limbs/branches will require removal are provided within the report. Furthermore, due to the proximity of the proposed extension to these trees, the development would conflict with their root systems. In order to avoid this conflict, the proposed side extension will be a cantilevered construction which will prevent disturbance to the root zone of this group of trees. Temporary ground protection around the trees will be required during the construction phases. The Arboricultural Implications Assessment has been reviewed by the Councils Arboricultural Officer who is satisfied with both the works to remove limbs and branches as well as the construction methodology and protection measures for the side extension. A condition to ensure that the development is undertaken in accordance with these details is recommended.
- 5.7.2 In light of the nature of the construction of the building and its deteriorated condition, the site has also been surveyed for the presence of bats and nesting birds. The survey concluded that there was no evidence of use of the site by bats or nesting birds. The report includes a mitigation strategy which should be followed in order to ensure that the welfare of this protected species is maintained during and following the works. A condition to ensure that the development is undertaken in accordance with these details is recommended.
- 5.8 **Flood risk and drainage** Development Management DPD DM29: Key Design Principles, DM33: Development and Flood Risk, DM34: Surface Water Run-off and Sustainable Drainage, DM35: Water Supply and Waste Water. National Planning Policy Framework section 14.
- 5.8.1 The application is supported by a flood risk and drainage strategy which outlines the feasible drainage options for the proposed development. Foul drainage will be discharged to the nearby combined public sewer and will be separate from surface water while on site. Surface water drainage is proposed to be discharged either by way of infiltration or to the combined public sewer. Percolation tests are not currently available and so it is not possible at this stage to ascertain if drainage via infiltration would be possible for this site. Infiltration is the first aim in the drainage hierarchy, and this must be investigated. If this is not feasible, drainage to the combined public sewer would be an alternative. In this instance, surface water flows would be directed to an attenuation tank and flows controlled to a rate of 7l/s. The drainage strategy has been reviewed by the Lead Local Flood Authority and United Utilities as well as the Councils own engineers, all of whom are satisfied with the current detail and, subject to conditions requiring the submission, agreement and implementation of a final detailed drainage design as well as an associated management plan and installation verification report, have no objection to the development. The proposed conditions can be imposed based on the current drainage strategy therefore, the proposal is considered to meet the requirements of policies DM33 and DM34.
- 5.9 **Other material considerations**
- 5.9.1 **Waste Storage** – The proposal includes the provision of two waste storage facilities within the site. The Councils Waste and Recycling Officer has reviewed the proposal and has stipulated the likely number and type of bins that will be required. It is considered that the two bin storage areas combined will provide sufficient space for the required number of bins to serve the development. The Waste and Recycling Officer has also set out that they consider the storage areas to be too far from the entrance to the site, Council collection crews would not move the bins from these storage areas to the front of the site for collection whilst the bin lorry would also not enter the site. The applicant has advised they intend to use a privately managed waste collection service which resolves the matter of bin storage location.
- 5.9.2 **Planning obligations** – A contribution of to £3560.00 has been requested by the NHS to mitigate the effects of the development. Specifically, the consultation response states '*towards the extension and reconfiguration at Queens Square Medical Practice & King St surgery*'. However, the request

fails to meet the required standard tests as precise details of the project to which the money will contribute has not been provided.

5.9.3 Employment Skills Plan – The proposed development is defined as a major development which will result in the provision of 24 studio apartments, therefore in accordance with Policy DM28 of the Development Management DPD and the Employment and Skills Plans SPD, the Council must consider whether the submission of an Employment and Skills Plan would be reasonable. The Council is seeking to play a leading role in improving educational attainment and skills and raise aspirations within the district. It is important to ensure that local people get the right education, skills and inspiration to enable them to get jobs. Preparing and implementing an Employment and Skills Plan (E&SP) for major new development is one of the ways to achieve this. Given the scale of the development proposed exceeding the threshold criteria stipulated within Policy DM28 of the Development Management DPD and the Employment and Skills Plans SPD, it is considered necessary that an E&SP be developed and implemented. This can be appropriately controlled by way of a pre-commencement planning condition.

5.9.4 Sustainability – An energy statement has been submitted which detailed the way in which the development has the potential to achieve a betterment measured against Building Regulations requirements including u-values through measures including enhanced thermal building fabric, appropriate management of solar gain within the constraints of the site, potential for heat recovery and ventilation systems, provision of solar panels and reduction in thermic bridges. The proposal also currently seeks to utilise a hydrogen boiler system. This complies with the requirements of policy DM30.

## **6.0 Conclusion and Planning Balance**

6.1 The existing site and building are in a deteriorated condition and in its current form detracts from the character and appearance of the locality. The retention and redevelopment of the existing warehouse and construction of a new building to provide a frontage to the site, subject to the use of high-quality materials and finishes, will improve the overall visual appearance in the locality and from further afield. The change of use of the site and removal of industrial activities should provide an improved relationship with the surrounding residential properties. The proposed extensions will be expressly visible from surrounding properties and outlook is diminished from some neighbouring windows, however, in light of the site-specific circumstances of this case, it is considered the proposal will not result in unacceptable harm to residential amenity overall. The accommodation is considered to provide generously proportioned studio apartments with acceptable outlook and daylight levels. The proposed development is considered to be acceptable with regard to the other specified material considerations.

## **Recommendation**

That Planning Permission **BE GRANTED** subject to the following conditions:

Condition no.	Description	Type
1	Time limit	Standard
2	Approved plans	Standard
3	Detailed sustainable drainage strategy	Pre-commencement
4	Detailed foul drainage strategy	Pre-commencement
5	Contaminated land assessment	Pre-commencement
6	Employment Skills Plan	Pre-commencement
7	Details and samples of materials and details of fenestration, external walls, roofs, eaves and fascia, dormers, bin store and boundary treatments	Above ground
8	Details of ventilation systems	Above ground
9	Details of landscaping and associated maintenance	Above ground
10	Details and provision of Homeowner packs and information boards	Prior to occupation

11	Details and provision of cycle storage	Prior to occupation
12	Provision of parking spaces	Prior to occupation
13	Provision of two 7.3kW electric vehicle charging points	Prior to occupation
14	Provision of bin storage facilities	Prior to occupation
15	Windows in accordance with noise assessment glazing specifications	Prior to occupation
16	Lighting details	Prior to occupation
17	Security details	Prior to occupation
18	Drainage Operation and Maintenance Plan and Verification Report	Prior to occupation
19	Approved tree works	Ongoing
20	Ecological mitigation measures	Ongoing
21	Hours of construction	Ongoing
22	Separate drainage	Control
23	Gated access arrangement set back a minimum of 5 metres from highway	Control
24	Restriction to student accommodation	Control

**Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015**

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