

Agenda Item	A9
Application Number	20/00699/FUL
Proposal	Relevant demolition (retrospective) of existing workshop and the erection of a 3 and 4 storey building to create student accommodation comprising sixteen 1-bed studios and one 2-bed cluster flat (C3) and a bike/bin store room
Application site	Land Adjacent To 108 St Leonards Gate, Lancaster Lancashire
Applicant	Mr Mister
Agent	Mr Ion
Case Officer	Mr Adam Ford
Departure	No
Summary of Recommendation	Approval

1.0 Application Site and Setting

- 1.1 This application relates to a small gap site within the otherwise continuous built-up frontage on the western side of St Leonard's Gate, close to Lancaster city centre. The majority of the site is now a surfaced private car park following the demolition of derelict two storey buildings in the late 1960s. Part of the site is covered with a road surface providing vehicular access to Pitt Street, following closure of the underpass beneath no. 98. St Leonards Gate, which provides access to a service area and private car parking between the buildings fronting St Leonard Gate and North Road. To the rear of the site and fronting onto Pitt Street was a single storey hipped and slate roofed workshop with painted rendered walls, but this has been demolished.
- 1.2 The site is within the City Centre Conservation Area and numbers 108/110 and 112/114 are Grade II Listed buildings. This part of the western side of St Leonard's Gate is characterized by substantial 3 storey Georgian properties with the larger scale St Leonard's House lying further to the north. Adjoining the site to the east is a 3-storey former Victorian coach works and warehouse, no. 98, which is now converted to student accommodation. The Lancaster Air Quality Management Area (AQMA) lies approx. 16 metres to the northwest and 30 metres to the southwest. A small strip of the site's north western edge lies within flood zone 2 also.

2.0 Proposal

- 2.1 In conjunction with application 20/00700/LB, this application seeks planning permission for the retrospective demolition of the site's former workshop building and the subsequent erection of a 3 and 4 storey building to be used for student accommodation. The main frontage which interacts with St Leonards Gate is 4 storey in design whilst the rear portion of the building which fronts on Pitt Street is 3 storey in design. The development comprises sixteen 1 bed student flats and one 2 bed cluster flat. In terms of the student accommodation proposed, the scheme will deliver the following:

- Ground floor: 5 x 1 bed flats and bike /bin stores
- First floor: 6x 1 bed flats
- Second floor: 5 x 1 bed flats
- Third floor: 1 x 2 bed cluster flat

In total, the scheme will therefore deliver 17 student flats. Each 1 bed flat is equipped with a bed, a bathroom, a sink, a cooker/hob and internal fittings such as desks and cupboards. The 2-bed flat on the third floor is equipped with the same amenities but the bedrooms share a bathroom, the kitchen and the breakout area.

2.2 The scheme will occupy the majority of the site currently used as a car park, maintaining the gap from no. 98 so that access is retained to Pitt Street, and will include the demolition of the buttresses to the side of 108 St Leonards Gate. Access to the building would be from the side elevation onto Pitt Street although in the interest of retaining local character, a mock street entrance onto St Leonards Gate is also proposed. Bin and cycle storage is to be delivered on the ground floor with access from Pitt Street.

2.3 Negotiations with respect to the external finish and the precise materials to be used in the building's external appearance remain ongoing with the applicant and they are likely to be controlled via a planning condition. However, the submitted plans indicate that the building will be finished in natural limestone with standing seam metal used in the construction of the roof and the building's dormers. The use of stone is acceptable in principle subject to the precise nature of the finish and in particular, the coursing, finish and arrangement of the Limestone. The use of a metal roof here however is not acceptable and the requirement for a slate (or zinc / lead) roof is therefore stipulated in a specific planning condition.

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
20/00700/LB	Listed building application for removal of the buttresses and stone boundary wall from 108 St Leonards Gate and the erection of a 3 and 4 storey building	Pending
19/01216/LB	Listed building application for removal of the buttresses and stone boundary wall from 108 St Leonards Gate and the erection of a 3 and 4 storey building and excavation to form basement.	Refused
19/01215/FUL	Relevant demolition of existing workshop and the erection of a 3 and 4 storey building to create student accommodation comprising eighteen 1-bed studios and one 2-bed cluster flat (C3) and excavation to form basement to accommodate laundry room, plant room and bike store	Refused
18/01247/PRETWO	Erection of new build student accommodation comprising 33 student rooms distributed in 5 flats with adjacent bin store and cycle parking	Closed
13/01220/FUL	Erection of new build student accommodation comprising 4 cluster flats (C4) and 1 2-bed cluster flat (C3) with associated bin store and re-instatement of stone stack to adjoining property no 108 St Leonard's Gate	Refused
13/01221/LB	Listed building application to construct new student accommodation onto the gable wall of no 108 St Leonard's Gate including the reinstatement of a stone stack to no 108	Refused
13/00787/FUL	Erection of new build student accommodation - 21 rooms	Withdrawn

	with associated bin store and re-instatement of stone stack to adjoining property no 108 St Leonard's Gate	
13/00788/LB	Listed building consent to construct new student accommodation onto the gable wall of no 108 St Leonard's Gate including the reinstatement of a stone stack to no 108	Withdrawn

4.0 Consultation Responses

4.1 With respect to this application, the following responses have been received from statutory and other consultees:

Consultee	Response
Fire Safety Officer	No objection to proposal offered and standard advice issued
County Highways	No objection to proposal subject to imposition of planning conditions
County Archaeology	No objection to proposal subject to imposition of planning conditions
Lead Flood Authority	Objection on the basis that insufficient information to demonstrate why other 'more sustainable' drainage measures are not proposed
Georgian Group	Objection on the basis that design is inappropriate
Lancaster Civic Society	Objection to the proposal on the basis of inappropriate design and harm to the historic environment
NHS Morecambe Bay CCG	No objection to proposal and request for £2,871 towards the extension and reconfiguration of local practices
Lancaster University Students Union	Objection on the basis that low frequency noise emitted by the Sugar House Nightclub has not been adequately considered
Environmental Health Officer	No objection raised with conclusion that submission is satisfactory with respect to noise impacts (comments dated 9 th June 2021)
Lancaster University	No objection raised but additional clarification sought
Conservation Officer	Initially submitted an objection but following submission of amended plans, despite concerns being raised with respect to stone pattern, corner detail, vertical recesses and the lack of detail on the Pitt Street elevation, no objection provided.
United Utilities	No objection subject to conditions
Ancient Monuments Society	Objection on the basis of inappropriate design
Contamination Officer	No objection subject to conditions

4.2 No comments from members of the public have been provided in response to this application.

5.0 Analysis

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

- Legal context
- Principle of development and loss of employment use
- Layout, design and heritage
- Amenity and standard of accommodation
- Noise considerations
- Highways and parking
- Flood risk and drainage
- Contaminated land and air quality

- Other material considerations

- Waste storage
- Planning obligations
- Employment Skill Plan
- Invasive species: Japanese Knotweed
- Habitat Regulations

5.2 **Legal Context**

5.2.1 Planning law (Section 38(6) of the Planning and Compulsory Purchase Act 2004) requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan (hereafter 'Local Plan') for Lancaster District includes the Strategic Policies and Land Allocations Development Management Documents (SPLA DPD), a reviewed Development Management (DM) DPD, the Morecambe Area Action Plan DPD and the Arnside and Silverdale AONB DPD.

5.2.2 In addition to the above, when making a decision on all listed building consent applications or any decision on a planning application for development that affects a listed building or its setting, a local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

5.2.3 This obligation, found in sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, applies to all decisions concerning listed buildings. In addition, section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area in exercising planning functions

5.2.1 The above provisions have been factored into the determination of this planning application and the requirements have been duly considered by Officers in making this recommendation to Members.

5.3 **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, DM13 Residential Conversions and HMOs, DM14: Proposals Involving Employment and Premises. National Planning Policy Framework sections 2, 6, 8, 9, 11, 12 and 16.**

5.3.1 In establishing the principle of development here, a number of interrelated factors must be considered, and these are discussed below.

5.3.2 With respect to the broad principle of *purpose-built student accommodation*, policy DM7 of the DM DPD sets out that such proposals will generally be considered favourably subject to meeting not only relevant policies but also the specific 8 criteria stipulated by policy DM7 itself. In this regard, DM13 is also relevant in that it aims to restrict the provision of HMO properties and the locality is subject to an *Article 4 Direction* which prohibits HMO conversions without planning permission. The two-bed cluster flat is technically an HMO on the basis the occupants will share amenities and living space. However, given the purpose-built nature of the scheme and lack of adverse impacts arising (under DM13), this does not pose a significant constraint to the proposal. The intricate and design related matters set out within policy DM7 are considered at the relevant junctures within this report although it should be noted that overarching principle is essentially supported by policy DM7.

5.3.4 From a locational and sustainability perspective, the settlement hierarchy prescribed by policy SP2 of the SPLA DPD (and the NPPF), aim to direct developments to sustainable settlements and locations. This helps to ensure that development does not take place in isolated locations, with poor connections and ultimately increases the need to rely upon private motor vehicles. It also ensures that services remain in close proximity so that homes, shops and essential services are accessible.

The application site is located adjacent to St Leonard's Gate within the settlement of Lancaster and, with reference to the settlement hierarchy, it is therefore deemed to be within a sustainable location,

albeit outside of the formally designated 'city centre'. With respect to students accessing their respective institutions, the scheme performs as follows:

	Walking?	Cycling?	Public transport?
Lancaster University	Unlikely although a safe route does exist and would take approximately 1 hour	Yes – 3.5 miles	Yes – access to frequent buses
University of Cumbria	Yes , 1.0 miles	Yes - 1.0 mile	Yes – access to frequent buses

Therefore, with respect to policy SP2 and the accessible nature of the two main student establishments (noting that most students will not walk from this location to the Bailrigg Campus), the principle of development is acceptable. However, there have been a number of large-scale student schemes approved in the city centre and some concerns have been raised in the consultation responses, in particular from Lancaster University, about the *need* for this and the adaptability of the accommodation. The Council engaged with Lancaster University during the preparation of the Local Plan, but they did not provide evidence with regard to projected student numbers or the need for accommodation on campus or in the city centre. The site is located within a sustainable location for this type of accommodation and there is no evidence available to suggest that there is no longer a need for the accommodation which would warrant a refusal on this basis.

- 5.3.5 Notwithstanding this, the proposed development will result in the loss of an established workshop building which, although not used particularly recently for employment purposes, has a history of supporting such uses and could, with some refurbishment, may have been capable of being brought back into use. In this regard, 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 or premises for alternative uses, such as residential, will only be permitted where one of these stipulated criteria are met.
- 5.3.6 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 or further employment use inappropriate. The subject site is now wholly surrounded by residential / student properties, the occupants of which would be particularly sensitive and susceptible to noise and disturbance arising from ongoing industrial or business styled operations. For this reason, the site is considered to be materially constrained and is such that its continuing use for on-going employment purposes would be harmful to the amenity of surrounding occupants. As such, the principle of the 'loss' of this minor workshop (insofar as policy DM14 relates) is not something that the LPA would necessarily look to resist on this occasion.
- 5.3.7 Accordingly, the broad principle of development here is judged to be acceptable but remains subject to the material planning considerations set out below.
- 5.4 Layout, design and heritage. Strategic Policies and Land Allocations DPD SP7 protecting Lancaster's unique heritage, Development Management DPD DM29: Key design principles, DM38 Conservation Areas, Development affecting Listed Buildings. DM39: The Setting of Designated Heritage Assets. National Planning Policy Framework sections 12 and 16.**
- 5.4.1 In conjunction with the NPPF, policy DM29 seeks to secure developments which are capable of contributing positively towards the identity and character of the areas in which they are proposed. Good design should respond to local distinctiveness and in locations such as the historic core of Lancaster, a focus on an appropriate palate of materials will be important. The revised NPPF also places an increased focus on good design through advocating 'beautiful' buildings and places to reside. In this instance, given the site's location within the Conservation Area and the proximity of adjacent listed buildings, the importance of appropriate design is heightened further.
- 5.4.2 Critically, 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.

- 5.4.3 St Leonards Gate is located in the Lancaster Conservation Area, within the Canal Corridor North Character Area. The street is identified as having a strong frontage along the north side of the road and demonstrates high quality 18th century architecture. Policy DM31 of the DM DPD sets out that only development which preserves or enhances the character and appearance of the area will be permitted. Within this part of the Conservation Area, this includes positively complimenting the high-quality architectural design to create a strong frontage and the use high quality materials. The site is in close proximity to a number of grade II listed buildings, including the terrace of Georgian properties adjoining the site and those opposite. Due to the site's close proximity to these listed buildings and the proposed attachment to no. 108, Officers have spent a considerable time engaging with the applicant to ensure that a high-quality scheme is both designed and delivered.
- 5.4.4 The site has been subject to a number of recent planning applications and most recently, a similar scheme (19/01215/FUL) was refused owing to the proposal's poor design and the resultant harm inflicted upon the Conservation Area and the adjacent Listed Buildings. The refusal notice also referenced the poor amenity levels that would be achieved by the development. This submission therefore represents an attempt to address the previous reasons for refusal and the building's design has been significantly amended as Members will be able to see by comparing the current plans to those refused under 19/01215/FUL.
- 5.4.5 Now that the workshop building has been demolished (without consent), the site comprises little more than a surfaced car park. The principle of developing the site has long been accepted and would remove an unattractive gap site within the street's otherwise pleasant frontage. The previous building was demolished in the late 1960s, with a fragment of the west gable remaining on the site, which forms part of the gable wall of the listed building. The site is used for parking but is a negative feature within the conservation area. While the outbuilding to the rear was recognized as a positive feature within the conservation area, it was nevertheless a very modest building; the retrospective loss of which could be justified by the enhancement of re-developing the site, given that the wider scheme will deliver a high-quality building which removes a visually abrasive and jarring gap in the street's attractive frontage.
- 5.4.6 As with the previous scheme, the approach to the design has been to reflect the overarching form and character of the Georgian terrace and it is clear that the current design aims to address a number of the major concerns outlined by the Inspector who refused application 13/01220/FUL (appeal ref 14/00014/REF). The scheme is now smaller, less imposing, uses smaller dormers and relies on a more appropriate external material pallet. The building would be sited on the same alignment, positioned forwards of the listed building, following the demolition of the fragment of the earlier building, and have a similarly formal composition albeit expressed in more contemporary way. Initially Officers raised concerns that the 'stepping' forwards of the scheme may look awkward and poorly considered. However, by using this approach, it allows the adjacent listed building to retain its significance by ensuring the two buildings retain their own identity. The new building therefore operates as something of a 'bookend' and this reinforces the significance and importance of the existing listed building; it prevents the new building 'bleeding' into the listed Georgian terrace and this is an important point. The proposed windows are ordered between stone cladding panels of stone in between and the architectural approach is continued to the rear offshoot, and this creates a consistent, legible design approach to the scheme.
- 5.4.7 Within the previous appeal decision relating to 13/01220/FUL (appeal ref 14/00014/REF) the Inspector also set out that the gradual rise of the buildings up the street's natural slope is a key, subtle feature of the north side of the street and a crucial point of character. Previously the fenestration arrangement related poorly to this urban feature and there was an awkward feel to the scheme. This, however, has been addressed within the current scheme so that the windowsills are positioned level with the adjacent listed building; this degree of consistency is apparent on both the St Leonard's Gate and Pitt Street elevations. In addition, a pastiche approach has been avoided through the use of contemporary dormer styled windows and surrounds. Although the precise nature and external finish of these are to be controlled via a condition, the drawings illustrate that

proportions and rhythm of the streetscape are retained whilst respecting the significance of the adjacent Listed Buildings.

- 5.4.8 The proposed building has been designed to assimilate with the existing buildings which front onto St Leonard's Gate and in doing so, it removes the current unsightly gap which undermines the Conservation Area's integrity. The ridge height broadly aligns with the existing Georgian terrace whilst sitting at a lower level than the ridge of the development to the northeast. This ensures that the development remains in keeping with the wider sense of place and does not impose itself onto the street in a way which would be harmful or detrimental to the Conservation Area's significance. A similar design approach has been taken with respect to the rear outrigger. It has been significantly reduced in bulk and mass when compared to the refused scheme and the smaller scale ensures that the significance of the adjacent Heritage Assets is not unduly eroded. Those using the Pitt Street Walkway will now be able to do so without feeling entirely dominated by the building's scale or massing.
- 5.4.9 This proposal is a significant improvement on the previously refused scheme. Architecturally the composition is simpler and more harmonious, with an improved balance of vertical and horizontal elements. The design is less 'fussy' and it assimilates with the prevailing form of the Conservation Area without appearing visually jarring or incongruous. The reduction in mass of the rear off-shot and the incorporation of a pitched roof are substantial improvements which better integrate the design into its surroundings whilst the use of modestly scaled dormer windows helps to introduce a degree of visual interest without detracting from the wider setting of the locality. The deletion of the basement level, which previously raised serious structural concerns about the impact on the neighbouring listed buildings, is also most welcome.
- 5.4.10 However, despite these positive elements, there are parts of the scheme which are able to attract less Officer support. In particular, whilst the applicant's attempt to integrate the scheme with the locality's massing and style is noted, the *overall* architectural approach is relatively bland and uninspiring. There is, for an example an opportunity for the corner and the elevation which faces Pitt Street to be designed in a way which breaks free from the Georgian context on St Leonard's Gate. A blend of architectural styles could be used to create a real feature building but instead the scheme simply carries on the same design and in doing so, it fails to fully deliver 'beautiful' development in the way that the revised NPPF intends. This is a point which has been noted by the LPA's Conservation Officer and it must, as a result, be noted as something which weighs against the scheme.
- 5.4.11 As the development turns the corner into Pitt Street, the vertical stone recesses are noticeable and so too is the lack of additional fenestration or articulation detail. This disappointing lack of detail has been raised by the LPA's Conservation Officer and it has been suggested that windows could be installed instead of the recesses. However, whilst this would usually be advocated by Officers, due to the proximity of the adjacent student accommodation, having windows installed onto said elevation would result in rooms with very limited privacy due to the separation distance being a little over 5m only. As such, although the points raised by the Conservation Officer in this regard are noted, windows on this particular section of the Pitt Street elevation would not be suitable.
- 5.4.12 Based on the submitted plans, the stone banding, eaves and corners have the *potential* to appear too heavy in appearance; lacking the lightness, elegance and simplicity of the neighbouring Georgian detailing. However, such matters can be controlled via a suitably worded planning condition. Equally, as noted by the Conservation Officer, although the St Leonard's Gate elevation is defined and articulated, the building's main entrance is via Pitt Street. In response to the comments made by the Conservation Officer, the Pitt Street entrance has been revised to include greater stonework detailing so that it appears less visually uninspiring. The revised architectural detailing helps to signal that this is the main entrance for occupants and although the LPA would have preferred more of a feature, this is not something which would necessarily warrant a refusal. The lack of a main entrance on this principal elevation is also at odds with the neighbouring properties within the terrace although this is not a significant weight against the scheme by any means either.
- 5.4.13 With respect to the proposed external materials, the current plans indicate that the main building will be constructed from natural stone whilst a standing seam metal roof is proposed. The use of natural stone is welcomed although in this locality, it would be expected in any event given the historic context. However, the use of metal on the roof immediately adjacent to Listed Buildings is not

acceptable and this would not be supported. At the time of issuing pre-application advice, Officer advised that natural slate or another appropriate material should be used on the roof. Presently, the precise finish and coursing of the stone has not been agreed and the applicant's agent has agreed to this being controlled via a condition. A similar approach will therefore be taken with respect to the roofing materials and the relevant condition will be worded to ensure that natural slate, zinc or lead are used in accordance with the advice issued by the Conservation Officer; albeit with the final specification to be confirmed through a planning condition. Specific material details for windows, doors, sills and rainwater goods have also not been confirmed but these are matters which can be adequately controlled via similar conditions as above.

5.4.14 There is a presumption in favour of preserving the character and appearance of the Conservation Area in addition to Listed buildings and their setting (as set out in S.72 and S.66 of Planning (Listed Buildings and Conservation Areas) Act 1990). This is echoed in local policies SP7, DM37, DM38 and DM39. Policy DM38 of the DM DPD sets out that only development which preserves or enhances the character and appearance of the area will be permitted whilst Policy DM37 sets out that the significance of Listed buildings can be harmed or lost through their alteration or destruction or development within their setting and Policy DM39 sets out that proposals that fail to preserve or enhance the setting of a designated heritage asset will not be supported.

5.4.15 Presently, based on the current submission, although the building has now been stepped forward as advocated by the Conservation Officer, the concerns with respect to the proposed materials remain. Accordingly, whilst it is noted that this is something the LPA intend to control and regulate through planning conditions, the public benefit test as set out in paragraph 202 of the NPPF must be applied. Overall, in applying this balance, the harm identified is, in essence limited because it can be appropriately addressed through conditions on this instance. Furthermore, the development of this site will remove an unattractive gap site within the street frontage which has plagued the setting of the Conservation Area and the adjacent Listed Building for a number of years. There is, therefore, a significant amount of public benefit delivered by virtue of the fact the setting of the Conservation Area and the adjoining Listed Building can be moderately enhanced through the removal of the unsightly, visually poor hard surfaced car park. The scale and overall design concepts are considered acceptable with no harm caused by the scale and/ or massing of the proposed building.

5.4.16 Consequently, whilst it is difficult to argue that the *current* submission fully demonstrates that the proposal will result in a positive addition to the locality, through the following, Officers are comfortable that with the following, the historic qualities of the adjacent listed building and the Conservation Area can be preserved:

- Condition requiring agreement (and subsequent retention) of all external materials prior to use
- Condition requiring agreement & specification (and subsequent retention) of all fenestration details including materials

It must also be remembered that this scheme needs to balance amenity concerns with wider design and heritage matters. In addition to the concerns raised by the LPA's Conservation Officer with respect to design, objections from consultees such as the Ancient Monuments Society, the Georgian Group and the Lancaster Civic Society have also been submitted. The comments from these consultees are similar and they all raise concern with respect to how the building will 'fit' in with the prevailing historic environment owing to its scale, external appearance and the use of dormer windows. As clarified above, external materials and fittings can be adequately controlled via a planning condition and Officers are comfortable with this approach. Ultimately, the degree of harm inflicted upon the adjacent Listed Building is considered to be less than substantial (as clarified above) and whilst the introduction of a new building which adjoins onto 108 will, quite naturally be noticed, it does not give to substantial harm within the context of paragraph 201 of the NPPF. Therefore, although a more sensitive solution from a heritage perspective could, theoretically, be devised, as discussed below, this scheme is able to showcase an adequate degree of compliance with heritage requirements and general amenity concerns to allow Officers to recommend it for approval.

5.4.17 Overall, therefore, it is considered that the design, layout and appearance of the proposed development (subject to conditional control and pending drawing) 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. Accordingly, a material degree of conflict with paragraphs 199 and 202 of the NPPF and policies DM7, DM29, DM38 and DM39 - such that a refusal could be warranted - has not been identified and there is a genuine degree of public benefit in developing the site to prevent the further erosion and degradation of the Conservation Area.

5.5 Amenity and standard of accommodation Development Management DPD DM7: Purpose Built Accommodation for Students, DM29: Key design principles. National Planning Policy Framework section 12.

5.5.1 In conjunction with the National Planning Policy Framework, the development plan requires proposals to be of a high quality so that they contribute positively to the locality's sense of place and the community's wider health. In this regard, the Council expects proposals for new student residential development to deliver a good standard of amenity whilst also adequately preserving existing levels of amenity which existed prior to the proposal.

5.5.2 The submitted scheme proposes 16 single bed studio rooms and one shared two-bed flat in the roof space. In addition to the need for each studio flat to be at least 19sqm, appendix G of the Development Management DPD sets out that the following should be capable of being accommodated within each studio:

- Bed (minimum size of 2m by 0.9m)
- Desk and Chair
- Wardrobe
- Chest of Drawers (minimum of 0.8m wide)
- Kitchenette, incorporating an oven, hob, sink, 2 cupboards (or equivalent) and adequate work surface space;
- Dining surface with seat / stall
- Adequate circulation space
- En-suite with a toilet, adequately sized wash basin, shower, circulation space for changing and hanging space for clothes, towels etc

The submitted plans indicate that the above standards can be achieved with each studio room meeting or exceeding 19sqm and being able to offer the necessary space for the list of basic provisions above. The 2-bed cluster flat on the top floor is able to showcase compliance with the required internal standards prescribed by appendix G of the DM DPD.

5.5.3 In addition to the internal arrangement and space offered, in considering the relevant amenity impacts, the outlook and separation distances incorporated into the development must also be analysed. The relevant separation distances that the LPA would encourage are set out in appendix G of the DM DPD. However, in considering these 'standards' it must be remembered that this 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 new building will, quite naturally, result in a change in the outlook and visual amenity for a number of occupants but given the urban nature and built form of the locality, this is not judged to be a significant constraint.

5.5.4 Flats G.05, G.04, 1.06, 1.05, 2.05, 2.04, 3.02 and communal area 3.03 all have primary windows which face onto St Leonard's Gate and these are the only windows which serve these bedrooms and living spaces. The windows are clear glazed. Accordingly, this means that separation distance between these windows are the existing windows on 127 St Leonard's Gate will be approximately 12m. This is less than the 21m prescribed but given the natural form and urban rhythm of the street, a larger distance cannot be achieved. In any event, given that there is a road and two pavements in between, a direct and uncomfortable loss of privacy is not judged to arise.

5.5.5 Given the scale of the building, and its rear projection, flats G.01, G.02, G.03, 1.01, 1.02, 1.03, 1.04, 2.01, 2.02 & 2.03 all have windows which face onto Pitt Street only. The location and position of these windows have been subject to much discussion and negotiation with the applicant to ensure that an appropriate level of amenity, noting the urban context of the site, can be secured. It is beyond

the scope of this report to discuss and analyse the location of each and every window proposed but due to the proximity of 98 St Leonard's Gate the new windows installed to Pitt Street are either frosted or positioned so that they are offset against existing unrestricted windows. Therefore, whilst the separation distances prescribed by appendix G are not strictly met – with the views outward being of either existing development or rear service yards - adequate mitigation measures have been incorporated into the design to ensure that unacceptable overlooking or loss of privacy does not arise. Furthermore, in a central location such as this where historic nature of uses determines the amount and quality of space available, a design which delivers the full standoff distances within appendix G simply cannot be achieved. A balance between preserving the historic character and providing good levels of amenity must therefore be struck if the unsightly 'gap' is to be eradicated.

5.5.6 There are only two windows proposed to the northwest facing elevation and these look out over roof tops, courtyards and service area. One of these serves a bathroom (and will thus be frosted) whilst the other serves flat 3.01. The distance from the window serving flat 3.01 to the adjacent residential property on North Road is in excess of 30m and as such, this is judged to be acceptable from an amenity perspective.

5.6 **Amenity part II: Noise and low-level frequency disturbance** Development Management DPD DM7: Purpose Built Accommodation for Students, DM29: Key design principles. National Planning Policy Framework section 12.

5.6.1 A fundamental issue arising from similar applications in this locality for student accommodation relates to noise, and as such this matter must be considered here too. Low frequency noise (commonly referred to as bass noise) is particularly relevant. National Planning Practice Guidance (NPPG) advises that noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment. Noise – like many other issues – can override other planning considerations, but the NPPG advises that the National Planning Policy Framework (NPPF) does not expect noise to be considered in isolation, separately from the economic, social and other environmental dimensions of a proposed development.

5.6.2 The application site is located approximately 100 metres from the Sugarhouse nightclub, which is run and owned by Lancaster University Students Union (LUSU), who are a registered charity. Excluding Covid-19 restrictions and lockdown measures, it opens on a Wednesday night between 2300-0300 and on a Friday and Saturday night between 2300 – 0330 and generally is only open to the students who study at the University of Cumbria and Lancaster University. Typically, it is usually open for around 30 weeks of the year (during term time) although the Covid-19 pandemic has disrupted this operation. Its permitted hours are 0900-0630 Monday to Sundays (with 24 hours opening on New Year's Eve) and 15 Temporary Events (Notices) are allowed per year. Whilst paragraph 185 of the revised NPPF advises of the need to avoid significant noise, paragraph 187 also iterates existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed. This, however, is notwithstanding the provisions of the Environmental Protection Act 1990 and other relevant law will continue to protect amenity.

5.6.3 It should be noted that there is no specific guidance in the NPPF or the Local Plan which presents absolute noise level criteria, and there is no accepted formal methodology for assessing the potential impacts of low frequency noise. Low frequency noise is music in the 63 Hz and 125Hz octave band, which is often described as 'bass noise'; and is commonly emitted by late night music venues. It can be particularly difficult to contain and the impulsive and the non-steady character of low frequency noise can be particularly disturbing for residents exposed to it and occurs as a result of venues such as nightclubs. In dealing with previous (albeit larger and closer to the Sugarhouse) schemes, Officers have encouraged applicants to consider *Manchester City Council's Planning and Noise Technical Guidance* because this is based on British Standards 8233 (2014), NANR45, and the World Health Organisation document '*Guidelines for Community Noise*'. Ultimately, the objective noise criterion set for low frequency sound within the MCC Guidance is to achieve 'inaudibility'/'virtually inaudible' by limiting music noise levels in the 63Hz and 125Hz octave centre

frequency bands (in habitable rooms) to 47dB and 41dB respectively.

5.6.4 The application is supported by a noise assessment which has been undertaken and authored by Martec Environmental Consultants Ltd. This report confirms that noise measurements were taken from the second flood front façade of the building immediately adjacent to 108. Noise measuring apparatus was left in situ from for a 7-day period between April 12th and April 19th 2019. Based on the submitted noise report, due to the proximity of the road and the site’s central location, it is clear that the ProPG’s target noise levels (as based on n BS8233:2014) cannot be achieved without closed windows and mechanical ventilation. This is demonstrated in the below table which has been compiled by Officers (not the applicant):

Internal noise levels at:	ProPG Standard	Scheme <u>without</u> mitigation	Scheme with mitigation
Day (LAeq, 16hr)	35 LAeq, 16 hr	54 LAeq, 16 hr	35 LAeq, 16 hr
Night (LAeq, 8hr)	30 LAeq, 8hr	45 LAeq, 16hr	30 LAeq, 8hr

5.6.5 As can be seen, due to the site’s location, the internal ambient noise levels would be relatively poor without a scheme of acoustic mitigation. The submitted noise report specifically recommends that glazing (spec of 6.4lam/12/10) and a Greenwood MA3051 acoustic wall vent (or equivalent) in order to achieve the end results in the table above.

This information has been shared with the Council’s Senior Environmental Health Officer who has raised no objection to the report, its methodology or its recommendations. In addition, given the previous submissions for student accommodation in the area, the Environmental Health Officer has, in conjunction with the current submission, also reviewed the information submitted Red Acoustics for application reference 16/01155/FUL; this was for St Leonards Gate House which is in much closer proximity to The Sugar House night club.

Red Acoustic’s assessment of the noise egress around the Sugar House identified that the most significant area of concern was connected with the fire doors, smoking areas and due to poor sound insulation, the roof structure – but the latter was to a lesser extent. Their modelling data demonstrates how that sound impacted on the St Leonards Gate façade over-looking the night club and the distribution of that sound within that locality. Following review of this information and considering the intervening building structures, distance separation and sources of noise egress from the Sugar House night club, any resultant sound levels at the application site will be significantly reduced – even at the upper floor levels.

Therefore, whilst the objection raised by LUSU (via their planning agent is noted), having considered the information, Officers do not consider that it will be necessary or that there would be justification for further noise survey work to be undertaken. The proposed glazing specification recommended in Martec’s report along with Mechanical Extract Ventilation is considered appropriate and proportionate. With this level of mitigation secured (via planning condition), the aims set out in the Noise Policy Statement for England will very likely be met in that any noise impacts would result in ‘no observed effect levels’ or ‘lowest observed adverse effect levels’.

5.6.6 However, notwithstanding this, LUSU maintain their objection to the scheme on noise grounds. Critically, LUSU’s fundamental concern is that the operation of the nightclub could be compromised by introducing a noise-sensitive user in close proximity to its nightclub with complaints coming from future residents. Whilst not received in relation to this application, The University’s Provost for the Student Experience, Colleges and the Library estimates the Sugarhouse achieves almost 100,000 attendances a year and therefore in context this goes to show this is a heavily used student venue, and with this brings significant social and economic benefits to the City. LUSU’s point is that potential complaints may lead to proceedings against nuisance, *if* (our emphasis) the proceedings were successful that would result in a requirement for the Sugarhouse to abate the nuisance (in short turning the volume down, management of noise and/or improvements to the building – but not necessarily closure as this is a last resort). Such a turn of events would not be beneficial for any party involves. Given the agent of change principle in the NPPF and the conclusions of recent case

law (*Forster-v-The Secretary of State for Communities and Local Government* 2016), the potential impact upon an existing business to continue to function viably is a material planning consideration.

5.6.7 Accordingly, it is important for Members to consider that just because potential future occupants were aware of the nightclub prior to moving in, this is no defence against environmental health (noise) action being taken, and 'actionable' nuisance would still need to be investigated. The site lies within the City Centre and therefore it would be reasonable to suggest that some level of disturbance is likely to occur. The question for decision-makers is the level of disturbance and whether this is reasonable in this location? In their assessment of the scheme Members should have regard to the two questions below;

- I. Is there a risk that the proposed development (student accommodation) could lead to the restricted nature of the club (or closure of the Sugarhouse nightclub)?
- II. What mitigation is required to enable the development to be acceptable in noise terms?

5.6.8 In response to these two issues, this scheme is not as close or as sensitive as similar proposals which have sought planning permission for student accommodation. The site is located some 100m away from the site with a plethora of intervening structures (which essentially act as sound barriers) in between and given the mitigation proposed and the input from the Council's EHO Officer, your Officers are satisfied that the proposal can be delivered without there being a detrimental impact upon the lawful operation of the Sugarhouse. As with the aforementioned similar schemes (St Leonard's House and The Gillows), planning conditions controlling the following will be imposed:

- Compliance with proposed acoustic mitigation and a requirement to protect against low frequency sound waves of 63/125Hz
- Submission of a mechanical ventilation scheme to be agreed

5.6.9 Although this application has not been subject to the same scrutiny (from a noise perspective) as the proposals at St Leonard's House and The Gillows were, from a noise and amenity perspective, Officers do not believe that a material conflict with national or local policy exists to such an extent that the scheme could be refused. The objections received from LUSU are understandable as the Sugarhouse is a long-standing student nightclub in the City Centre which adds to the student experience of studying at Lancaster University and the Local Authority recognises its' social and economic value to the wider city. Members are tasked to determine the application based on the evidence provided however and their attention is drawn to the formal no objection submitted by the Environmental Health Officer in June 2021. The scheme before Members is for student accommodation which is not the sole address of the occupants in any event. Unlike permanent residences, students are provided with support whilst in tenancy and if intolerant to particular noise disturbances from either within or without the development, they can be given the option to be relocated. In addition, tenancies are usually only 50 weeks in duration. However, critically - in the opinion of officers and Environmental Health - the scheme would not give rise to actionable noise complaints in any event. Collectively the Local Authority are content that the applicant's' proposal (subject to conditions) are not likely to lead to 'actionable' noise complaints and the two land uses can co-exist without detriment being inflicted upon each other.

5.7 Highway Matters and Access: NPPF Chapter 9 paragraphs 108-111 (Promoting Sustainable Transport) and Chapter 12 paragraph 127 (Achieving well-designed places); Strategic Policies and Land Allocations (SPLA) DPD policies T2: Cycling and Walking Network; Development Management (DM) DPD policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages, DM61: Walking and Cycling, DM62: Vehicle Parking Provision

5.7.1 From a National Planning Policy perspective, paragraph 110 of the 2021 NPPF advises that where appropriate, schemes should secure safe and suitable access to the public highway for all applicable users. The NPPF further advises that sustainable transport modes should, where possible and relevant, be taken up and encouraged although this will of course depend on the type of development and its location. This requirement is reflected in policy DM29 (Key Design Principles) which requires proposals to deliver suitable and safe access to the existing highway network whilst also promoting sustainable, non-car dominated travel. As set out earlier in this report, the application site lies in a very sustainable location with an abundance of public transport, walking and cycling routes available to the potential student occupants.

- 5.7.2 The NPPF seeks to secure safe access for all and in that regard, Pitt Street will remain the same width (4.8m). It is noted the footprint of the proposed building is over a small section of the adopted highway, however. The Highway Authority has no objection in principle to the stopping up the segment Highway to the front of the proposed building and this is because the footpath remains suitably wide and would not prohibit safe access. This, however, will require a formal stopping up under the S247 of the Town and Country Planning Act 1990 prior to the commencement of any works; these powers are enacted by the Department for Transport. Accordingly, whilst a planning condition to secure the required stopping up order would not be appropriate, an advice note will be added to the decision notice confirming the need to secure the Order before works take place.
- 5.7.3 With respect to parking provision, the scheme does not deliver on site spaces but given that the scheme is for student accommodation (and will be conditioned as such), this does not pose a policy conflict. Furthermore, there is an opportunity for students to lease a parking space on the car park to the rear of 98 St. Leonard's Gate which is also student accommodation; should they so be inclined.
- 5.7.4 As illustrated on the plans, a large covered and secure cycle store is proposed on the ground floor with access onto Pitt Street. Although the comments from the Highway Authority suggest at least 16 cycle spaces should be delivered, given that the scheme is for 17 flats (and 18 bed spaces), Officers feel that the scheme should deliver 18 cycle spaces. The submitted ground floor plan only shows 6 cycles as being stored but with the use of double and triple styled racks, there is nothing before Officers which would suggest that 18 cycles could or would not fit.
- 5.7.5 The formal comments from the Highway Authority confirm that they wish to raise no objection subject to 4 conditions. Of these conditions, those numbered 1,2 and 3 either fail the NPPF's test for conditions or do not need to be imposed. The condition requiring the delivery of the cycle store however is noted and this will be conditioned so that is delivered before occupation is allowed.
- 5.7.6 Accordingly, the scheme is judged to comply with the provisions of DM29 (insofar as highway matters are concerned), DM61, T2 and paragraphs 108 – 111 and 127 of the NPPF.
- 5.8 Flood Risk and Drainage Matters (NPPF: Chapter 14 (Planning for Climate Change), Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage), DM35 (Water Supply and Wastewater); Strategic Policies and Land Allocations (SPLA) DPD policies SP8 (Protecting the Natural Environment); Surface Water Drainage, Flood Risk Management and Watercourses Planning Advisory Note (PAN) (2015)**
- 5.8.1 The NPPF advises that Local Planning Authorities should avoid permitting development in areas at the greatest risk of flooding and instead, it should be directed towards the areas with a lower flood risk. This national requirement is reflected in policy DM33. The application site in question is predominately within flood zone 1 with a very small strip falling on the northern boundary in flood zone 2. However, no built development is proposed here and is not therefore subject to the sequential or exception test as set out within the NPPF. There is no evidence within the submitted application which would suggest that the scheme is likely to exacerbate flooding in other locations.
- 5.8.2 With respect to surface water runoff, policy DM34 advises that all new development should manage surface water run off in a sustainable way and that the design of all proposed surface water drainage systems should have regard to the surface water drainage hierarchy as set out below with 1 being the preference and 4 being the least preferred method:
1. Into the ground (infiltration at source);
 2. Attenuated discharge to a surface water body, watercourse or the sea;
 3. Attenuated discharge to surface water sewer, highway drain or another drainage system;
 4. Attenuated discharge to a combined sewer (as a last resort only in exceptional circumstances where it can be demonstrated that no other options higher up the hierarchy are feasible).
- 5.8.3 The submitted surface water management strategy is basic and it fails to adequately consider options 1, 2 or 3 of the drainage hierarchy above. Instead, it simply states that the development will be discharged into the existing public sewer. However, it is not clear of this is to be discharged into a surface water sewer or a combined sewer due to the lack of detail in the submitted drainage report; and it is known that both systems are present in the locality. This has resulted in the Lead Flood Authority raising an objection to the scheme due there being insufficient information submitted.

5.8.4 Whilst the LFA's objection is both noted and respected, it is the view of Officers that this is a matter which could be adequately addressed via a pre-commencement condition as suggested by United Utilities. The condition will be worded so that the applicant must demonstrate why more sustainable options further up the drainage hierarchy cannot be relied upon to drain this site. It is likely that a case can be made for option 3 or 4 on the hierarchy but this needs to be adequately demonstrated by the applicant; and not left to the discretion of Officers or Members. The same applies to foul water drainage; no details have been provided to show how it will be treated / drained and this too will therefore need to be controlled via a planning condition.

5.8.5 As noted above, a small section of the site's northern tip lies in flood zone 2 and Environment Agency data from 2015 illustrates that the site has, in the past, been subject to a degree of fluvial flooding. Accordingly, the submitted flood risk assessment proposes some basic mitigation measures to ensure that an unacceptable risk is not posed to those using the ground floor in the event of another flood event. Officers would stress that the built development (and bedrooms) are intentionally located in flood zone 1. However, given that the applicant has volunteered the below mitigation measures, they will be secured by way of a planning condition accordingly:

- Raised electrical sockets
- Raised utility boxes
- No wiring within lower ground floor construction
- Ground floor to be constructed with 300mm freeboard allowance

5.8.6 Accordingly, with the recommended conditions referred to above (surface water / foul) and the delivery of the proposed flood mitigation measures the scheme is not considered to be at risk from flooding or give rise to additional flood risks downstream.

5.9 Contaminated land and air quality 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.

5.9.1 The application is supported by a phase 1 desk study contamination report. This confirms that the site can be classified as a moderate risk in terms of contamination to human health receptors. The risks posed post development are also judged to be moderate.

5.9.2 This classification is due to the potential for Made Ground to be present beneath the site and several offsite land uses which have the potential to contaminate the shallow soils. These land uses include a foundry, laundry and sawmills. Therefore, there is the potential for contamination to be present in the ground beneath the site associated with these land uses. Possible contaminants include heavy metals and hydrocarbon vapour. Additionally, there is the potential for ground gases (carbon dioxide and methane) associated with the made ground.

5.9.3 Accordingly, having reviewed the submitted report, the LPA's Land Contamination Officer has advised that the standard pre-commencement land contamination condition be imposed.

5.9.4 With respect to air quality, the site lies close to the Lancaster City AQMA but it is below the threshold of a large site within zone 1 and as such, an air quality assessment is not required in this instance. In addition, the scheme does not encourage private car use in any event and a condition will be attached requiring the delivery of the proposed cycle storage area. Given that the scheme will need to employ a mechanical ventilation system as discussed earlier, this too will adequately mitigate the potential for unrestricted fume ingress into the building.

5.10 Other material considerations

5.10.1 **Waste storage** – comments from the Council's Waste Officer confirm that a scheme of this nature would need to demonstrate that:

- 150mm clearance provided around individual bins.
- Doorways should provide at least 1.3m clearance (including thickness of doors)
- Walkway of at least 1.3m wide to be provided within the store that allows access to each of the individual containers and ensures that an individual container can be removed from the store without the need to move any other containers.

Based on the submitted ground floor plan, the above requirements can be accommodated within the scheme. Servicing and storing the site's bins should not therefore pose as an operational or logistical constraint.

5.10.2 **Planning obligations** – A contribution of £2871 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. A financial contribution has not therefore been pursued by the LPA.

5.10.3 **Employment Skills Plan** – The proposed development is defined as a major development which will result in the provision of 16 studio apartments and one 2-bed flat, 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.

5.10.4 **Invasive species** – the submitted Environmental Report (Ref CL101_V1) states in chapter 5 that Japanese Knotweed has been identified on the site. However, no further information is provided to confirm if this has been removed, treated or otherwise addressed. Importantly, under the 1981 Wildlife and Countryside Act it is an offence to allow this invasive species to spread onto land which is in third party ownership. In this instance, given that the Knotweed has been identified on the eastern side of the site, it is important to the integrity of the building and the future safety of potential occupants (and indeed adjacent Listed Buildings) that the Knotweed is removed before further development commences. This can be controlled through a relatively simply planning condition which requires the submission of an invasive species protocol to be submitted to and approved in writing by the LPA.

5.10.5 **Habitat Regulations Assessment** – In accordance with the Conservation of Habitats and Species Regulations 2017 the Council have undertaken a Habitat Regulations Assessment in order to assess the impact of the development proposal upon the special characteristics of the European Designated habitat sites protecting Morecambe Bay. It has been determined that likely significant effects upon these designations can be mitigated through the provision of 'Homeowner Information Packs' to be supplied to each unit of accommodation. This could be controlled through planning condition in the event of an approval. Given that the turnover of student accommodation is significantly more than that of a normal or standard dwelling, the condition will not only require the provision of packs to initial occupants but all occupants thereafter.

6.0 Conclusion and Planning Balance

6.1 The existing site operates as a surfaced carpark and although the site's workshop was identified as being a positive building, on the whole, the site detracts from the character and appearance of the locality. Due to the gap in the street frontage and the presence of the hard surface, the significance and setting of both the Conservation Area and adjacent Listed Buildings are compromised. The principle of developing this site is therefore something that the LPA would welcome. The introduction of a building which harmonises with the locality's historic Georgian form and relies on high quality materials will preserve both the setting of the Conservation Area and the adjacent Listed Building

through the removal of the unsightly hard surfaced carpark. The loss of the workshop building is regrettable but overall, given that it would be screened from principal views in any event, this is not a significant weight against the scheme. It is noted that the outlook from some of the bedrooms will be limited but given the site's location in the urban and historic core of Lancaster, it would be somewhat unrealistic to expect long, undisturbed views from each and every window. A significantly adverse impact on amenity is not therefore judged to arise as a result of the development and this applies equally to existing levels of amenity. Overall, this is a scheme which is able to demonstrate a suitable degree of compliance with the development plan and the advice within the NPPF such that it may be recommended for approval

Recommendation

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

Condition no.	Description	Type
1	Time limit	Standard
2	Compliance with approved plans	Standard
3	Contaminated land assessment	Pre-commencement
4	Employment skills plan	Pre-commencement
5	Surface water drainage	Pre-commencement
6	Foul Drainage	Pre-commencement
7	Invasive species protocol	Pre-commencement
8	Archaeology	Pre-commencement
9	Method statement for works	Pre-commencement
10	Details of mechanical ventilation	Pre-commencement
11	Agreement of materials – excluding roof	Above ground
12	Agreement of materials – roof only	Above ground
13	Hard landscaping scheme for courtyard	Above ground
14	Windows to be obscured	Pre-occupation
15	Details and provision of cycle storage	Pre-occupation
16	Provision of bin storage	Pre-occupation
17	Installation of acoustic mitigation	Pre-occupation
18	Drainage verification	Pre-occupation
19	Compliance with flood risk mitigation	Pre-occupation
20	Ecological packs for students	Pre-occupation
21	Hours of construction	Control
22	Separate drainage systems	Control
23	Compliance with energy statement	Control
24	Restriction to students only	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