

Agenda Item	A11
Application Number	23/00090/FUL
Proposal	Replacement of front door and rear exhaust duct
Application site	Jubilee Hall China Street Lancaster Lancashire
Applicant	Mr Tom Greenwood
Agent	N/A
Case Officer	Mr Sam Robinson
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) Procedural Matters

This form of development would normally be dealt with by the Scheme of Delegation however, the property is owned by Lancaster City Council and is therefore required to be determined by the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site which forms the subject of this application is Jubilee Court which is comprised of 12 flats and is located on China Street in central Lancaster. The building remains well screened from the wider area with access provided off Castle Hill to the west which also provides an external area of parking.

1.2 The site is also located within the Lancaster Conservation Area and lies approximately 70m away from Lancaster Castle.

2.0 Proposal

2.1 This application seeks consent for a replacement door and installation of an exhaust duct. The replacement door is a dark blue composite located on the southern elevation whilst the wraparound duct measures approximately 1.3m x 5m in a black coated finish located on the northern elevation of the building. The duct is replacing an existing duct which serves a restaurant.

3.0 Site History

3.1 The site has an extensive planning history, but these are mainly historic applications and are not particularly relevant to this application.

4.0 Consultation Responses

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

Consultee	Response
Conservation	No objection
Environmental Health	No response

4.2 No responses have been received from members of the public.

5.0 Analysis

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

- Principle of development
- Design and impact on Conservation Area
- Residential amenity

5.2 Principle of development (NPPF Sections 2 and 12 and policy DM29 of the Development Management DPD)

5.2.1 The proposal is to provide improvements to the accessibility and standard of accommodation for the existing occupiers for the building. The replacement door will be more energy efficient whilst the exhaust duct requires improving following a Fire Risk Assessment undertaken by Lancaster City Council after the property was purchased.

5.2.2 The modest alterations are considered to be acceptable in principle, subject to the other material considerations listed above which will be discussed in the following paragraphs.

5.3 Design and impact on Conservation Area (NPPF Sections 12 and 16 and policies DM29 and DM38 of the Development Management DPD)

5.3.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed Building, Conservation Area or their setting the local planning authority must pay special attention to the desirability of persevering or enhancing the character or appearance of the heritage asset or its setting. Policy DM38 states that any development proposals and / or alterations to buildings, features and open spaces in Conservation Areas should preserve or enhance the character and appearance of the Conservation Areas. Specifically, they will be required to demonstrate that:

- Proposals respect the character of the surrounding built form and its wider setting, in terms of design, siting, scale, massing, height and the materials used;
- Proposals will not have an unacceptable impact on the historic street patterns / boundaries, open spaces, roofscape, skyline and setting including important views into and out of the area;
- Proposals will not result in the loss or alteration of features which contribute to the special character of the building and area; and
- Proposed uses are sympathetic and appropriate to the character of the existing building and will not result in any detrimental impact on the visual amenity and wider setting of the Conservation Area

5.3.2 The replacement door will have a minimal impact on the wider area. It remains well screened from public viewpoints, utilises the same opening and is finished in a dark colour to blend in with the surrounding built form.

5.3.3 Whilst the exhaust duct has a more industrial appearance, it continues to remain well screened by an existing wall which will limit any significant views from the wider area. The black finish is an

improvement over the galvanised steel finish. Consequently, neither element will have an adverse appearance on the visual amenity of the conservation area.

5.3.4 Whilst the proposal is very minor, there is still a degree of harm with the provision of a larger exhaust duct and in the context of the NPPF, the harm is considered to be less than substantial. However, the level of harm is considered to be very low due to the scale and nature of the development. While there are no significant public benefits, the proposal will improve fire safety for the buildings and the amenity of the flats whilst the change from galvanised steel to a black powder coated finish is a visual improvement. In this instance, these benefits are considered to outweigh the very low level of harm.

5.3.5 The majority of properties that line Castle Hill to the northwest are grade II listed buildings and are between 10m and 40m away. However, due to the scale and siting, neither elements will impact upon their setting.

5.4 **Residential amenity** (NPPF Section 12 and policy DM29 of the Development Management DPD)

5.4.1 The existing exhaust duct lies in close proximity to an existing residential window which is causing conflict in terms of the recently undertaken fire risk assessment. The existing arrangement prevents the window being opened whilst the alterations will seek to position the duct away from the windows and onto the retaining wall. This will improve the amenity for the occupiers of the existing flat. Considering that there is an existing duct in place, it is unlikely that there will be any significant impacts in terms of noise or odour.

6.0 Conclusion and Planning Balance

6.1 The proposal will improve the standard of accommodation for the occupiers of Jubilee Court without having an adverse impact on the amenity of the conservation area or residential amenity of nearby properties. The application is therefore recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	Development to accord with plans	Control

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

Lancaster City Council takes a positive and proactive approach to development proposals, in the interests of delivering sustainable development. As part of this approach the Council has provided access, via its website, to detailed standing advice for householder development in the Lancaster District (the Householder Design Guide), in an attempt to positively influence development proposals. Regrettably the proposal fails to adhere to this document, or the policies of the Development Plan, for the reasons prescribed in the Notice. The applicant is encouraged to consult the Householder Design Guide prior to the submission of any future planning application.