

Agenda Item	A5
Application Number	23/00921/FUL
Proposal	Part retrospective application for relevant demolition of existing warehouse (B8), erection of 3-storey building comprising 16 1-bed studios for student accommodation (C3) and erection of a 3-storey building for student accommodation comprising 8 1-bed studios (C3), erection of a bin store, installation of drainage infrastructure and associated parking
Application site	J Wedlake And Son Wheatfield Street Lancaster Lancashire
Applicant	Mr K Jayousi
Agent	Mr Chris Harrison
Case Officer	Mr Robert Clarke
Departure	No
Summary of Recommendation	Approval, subject to conditions

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, until recently, included a large 3-storey building at its eastern end and a large forecourt service yard at the western end. There were 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 previous warehouse building was set back within the site, this had a rendered frontage with natural stone walls to the side and rear elevations. The roof was a natural slate pitched roof which sat 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 part retrospective planning permission for the demolition of the warehouse building within the site and erection of a replacement building over 4 storeys including the roof space to form student accommodation (Use Class C3) comprising 16 studio apartments and ancillary plant rooms and bicycle storage space. This structure is proposed to match in form and scale the warehouse now demolished and will measure 13.4 metres to the ridge, 16.45 metres in width and 16.1 metres in depth. As per the previously approved schemes, there will be a three storey flat roof angle profiled zinc clad element to the southern elevation. The proposal also includes the installation of two dormers to the southern roof slope, installation of rooflights and solar panels. In addition, a new part 3-storey and part single storey building is also proposed (as previously approved) at the western boundary of the site fronting Wheatfield Street which comprises of a further 8 student studios (Use Class C3) and an associated management office. This structure will measure 9.5 metres to the ridge (measured on the front elevation), 11.2 metres wide and 13.3 metres in depth. A single storey building will then link between the front and rear buildings. The structures will be finished in a combination of natural stone and render elevations, zinc cladding and natural slate roofing. A bin storage facility is included on the southern boundary of the site, shared parking spaces are provided within the communal courtyard area, drainage infrastructure is to be located below the communal courtyard area and which connects to a combined sewer.

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
22/01432/VCN	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 (pursuant to the variation of condition 2 on planning permission 20/00964/FUL to amend approved plans by moving position of proposed new 3-storey building away from the North boundary by 925mm)	Permitted
22/00075/DIS	Discharge of conditions 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 on approved application 20/00964/FUL	Split decision
20/00964/FUL	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	Permitted
20/00256/PRETWO	Conversion of existing warehouse and construction of new block for residential / student accommodation	Advice provided
17/01219/OUT	Outline application for the erection of a 2 storey and one 4 storey buildings comprising 12 apartments (C3) with	Permitted

	associated access and relevant demolition of general industrial building (B2) and ancillary outbuildings	
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

4.0 Consultation Responses

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

Consultee	Response
Regeneration & Development Project Manager	No response received.
Lead Local Flood Authority	No objection subject to conditions pertaining to drainage infrastructure.
Cadent Gas	No objection, informative note required.
Conservation Team	No comments on this application.
United Utilities	No objection subject to conditions pertaining to drainage infrastructure.
County Highways	Requests alterations to the site access arrangement specifically the kerb radii.
Environmental Health	Initial response raised concerns with respect to noise and land contamination. Upon further review of the previous planning permissions, conditions are now requested.
NHS	Financial contribution of £7,344 requested <i>'towards new infrastructure at Lancaster Medical Practice. A new build.'</i>
Strategic Housing	No response received.
County Strategic Planning and Transport	No response received.
Network Rail	No objection.
Arboricultural Officer	No objection.
University of Cumbria	No response received.
LUSU Housing	No response received.
Lancaster University	No response received.
Fire Safety Officer	Advice provided regarding building regulation requirements.
Lancashire Constabulary	No response received.
Lancaster Civic Society	No response received.
Engineering Team	No response received.
Planning Policy	No response received.

Waste and Recycling	No response received.
RSPB	No response received.
Public Realm	No response received.
County Active Travel	No response received.
Natural England	No objection subject to the provision of the agreed resident information packs and communal information boards.

4.2 The following responses have been received from members of the public:

- 1 letter of objection raising concerns regarding privacy, security, design and private property damage.

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** (NPPF Section 2 Achieving sustainable development, Section 6 Building a strong, competitive economy, Section 8 Promoting healthy and safe communities, Section 9 Promoting sustainable transport, Section 11 Making effective use of land, Section 12 Achieving well-designed places, Section 16 Conserving and enhancing the historic environment; Strategic Policies and Land Allocations DPD Policies SP1: Presumption in Favour of Sustainable Development, SP2: Lancaster District Settlement Hierarchy; Review of the Development Management DPD Policies DM1: New Residential Development and Meeting Housing Needs, DM7: Purpose Built Accommodation for Students, DM14: Proposals Involving Employment and Premises)

5.2.1 Planning permission was granted in October 2021 and again through a Section 73 Variation of Condition application in March 2023 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. This approved development also included the erection of a new part 3-storey and part single storey building fronting Wheatfield Street which comprised of a further 8 student studios (Use Class C3). Following the granting of these permissions work commenced on site. The developer has stated that as work progressed it became evident that the warehouse building was in a poor overall structural condition to such an extent that it would not be possible to retain and change its use into the approved accommodation. Full demolition of the structure was then undertaken without the benefit of planning permission and at the time of writing this report, steel framing for the replacement building erected on site along with a retaining structure around the perimeter of the site.

5.2.2 Due to the works to demolish the warehouse building and to erect a wholly new structure being substantially different to the approved development, the planning permission granted through applications 20/00964/FUL and 22/01432/VCN can now no longer be lawfully implemented. Planning permission is now being sought, part retrospectively, for the demolition of the warehouse, erection of a new building in its place as well as the erection of a building at the frontage of the site

with Wheatfield Street. The replacement warehouse building largely matches that which has been demolished in terms of siting, footprint, scale and design. The rest of the development within the site also remains approximately the same as that approved through 22/01432/VCN.

- 5.2.3 The in-principle matter of the loss of the employment use at this site and the provision of student accommodation in this location has been established by way of the two previous permissions in 2021 and 2023. 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 contained within Policy DM14 are met.
- 5.2.4 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. It is again concluded that the site is significantly constrained and that its continuing use for industrial purposes would be harmful to the amenity of surrounding occupants. Therefore, the principle of the change of use of the site from an industrial use to a residential use is supported here.
- 5.2.5 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 public transport 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 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, palate of materials, separation distances, orientation and scale.
- 5.2.6 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** (NPPF Section 12 Achieving well-designed places and section 16 Conserving and enhancing the historic environment; Strategic Policies and Land Allocations DPD Policy SP7: Maintaining Lancaster District's Unique Heritage; Review of the Development Management DPD Policies 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)
- 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 This application relates to and follows on from the previously granted planning permission for the change of use of the existing warehouse to student accommodation, along with the erection of a new building at the front of the site. Following the granting of this planning permission, due to the poor structural condition of the warehouse building, the warehouse was demolished without the benefit of planning permission. The loss of the warehouse building is regrettable. It appears to have been a late 19th or early 20th century building typical of industrial sites which grew around transport hubs, in this case Lancaster train station and associated goods yard. However, the building was in poor condition both visually and as stated by the developer, structurally. The building was not

identified as a positive building within the Conservation Area Appraisal and is not considered to merit consideration as a non-designated heritage asset. It is also important to note that planning permission has previously been granted for the demolition of the building through earlier application 17/01219/OUT. On this basis, the principle of the demolition of this building is considered to be acceptable, particularly in light of its overall visual and structural condition.

- 5.3.3 The replacement building largely matches that which has been demolished in terms of siting, footprint, scale and design. This is considered to be an appropriate design approach and will serve to retain an industrial character to this site which is considered to be a positive character within this part of the Conservation Area. There are some minor changes relative to the approved 2021 and 2023 permission such as the use of render to all elevations as opposed to reinstating the natural stone finish to the side and rear elevations which the previous structure had. There are also some relatively minor changes to the fenestration design and the internal layout of the studio accommodation. These visual amendments are relatively minor and overall, the design ethos of the development remains as per the previously approved development which has previously been found acceptable. The proposal also now includes a concrete retaining wall along the northern boundary of the site adjacent to the gardens of properties which front Meeting House Lane. The proposed plans state that the design of the retaining wall and concrete backfill is to be informed by the site engineers' specification. The visible section of the retaining wall close to the entrance to the building will then be clad in stone.
- 5.3.4 There are also some minor changes to the design and appearance of the new building which fronts Wheatfield Street, including the installation of additional small windows to the north elevation and use of greater amounts of zinc cladding to the elevations. The amendments are considered to be acceptable in design terms.
- 5.3.5 Overall, it is considered that the design, layout and appearance of the proposed development is appropriate to the character of this particular site. Whilst the demolition of the warehouse structure is regrettable, the proposal still represents an opportunity to regenerate a brownfield site within the Conservation Area which has been deteriorating over recent decades and has, visually speaking, been a negative contributor to the character and appearance of the locality. The development taken as a whole will serve to enhance its appearance and improve its contribution to the character and setting of the conservation area. Subject to the agreement of material details and samples which can be secured by planning condition, the proposal fully complies with the design requirements of policies DM7, DM29, DM38 and DM39.
- 5.4 **Amenity and standard of accommodation** (NPPF Section 12 Achieving well-designed places; Review of the Development Management DPD Policies DM7: Purpose Built Accommodation for Students, DM29: Key Design Principles)
- 5.4.1 The siting, scale and footprint of the proposed buildings remain approximately the same as those which have previously been approved through the 2021 and subsequent 2023 permissions. There are minor changes with respect to window positions and sizes, but these do not impact surrounding residential properties to any greater degree than that of the previously approved designs. The relationship of the development with the adjoining neighbours has already been found acceptable, and it is considered again that the development now proposed is suitable with respect to its impacts upon the standard of amenity which surrounding residential occupiers can expect to enjoy in this location.
- 5.4.2 Minor alterations have been made to the internal layout of the larger replacement building at the rear of the site which results in a number of the studios increasing in floor area which is acceptable. The alterations to the window design and sizes do not alter the standard of amenity with respect to outlook and daylight that residents will enjoy. As a result, the standard of accommodation provided within both of the proposed buildings is acceptable.
- 5.4.3 The proposal now includes an on-site management office within the single storey part of the building, adjacent to studio 17. This area previously was used as a bin storage room and plant room on the previously approved applications. To ensure this room is used as an ancillary/site management office space only and no other type of office facility or a further studio room, a condition is recommended to control the use of this room accordingly.

- 5.5 **Contaminated land, noise, air quality and vibration** (NPPF Section 11 Making effective use of land, Section 12 Achieving well-designed places, Section 15 Conserving and enhancing the natural environment; Review of the Development Management DPD Policies DM29: Key Design Principles, DM31: Air Quality Management and Pollution, DM32: Contaminated Land)
- 5.5.1 In light of the previous industrial use of this site, the sensitive nature of the use proposed and surrounding land-uses, this application is supported by a site investigation and ground assessment. This recommends that an intrusive Phase 2 ground investigation be undertaken at the site, which has subsequently been undertaken. Based on the results of the intrusive Phase 2 survey, with consideration to the environmental setting and the proposed redevelopment of the site, minor risks associated with chemical contamination in the made ground in the courtyard have been identified. However, following development, the site will be covered by building footprint and impermeable hardstanding, which will break the potential pathway with future site users and limit infiltration. The report further notes that any excavated soil will need to be removed off site for appropriate disposal/remediation. The Councils Environmental Health Officer is satisfied with the investigation and conclusions of the report but would add that barrier pipework may be required for mains water connections across the site if stipulated by the water provider. This would be required by the water provider as opposed to being a requirement of the planning permission. A condition will still be required with respect to land contamination which requires development to be undertaken in accordance with this contamination assessment, submission and agreement of a Validation Report and Certificate and for any unforeseen contamination to be satisfactorily remediated.
- 5.5.2 The application site is located close to the city centre and in close proximity to operational Network Rail land. 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. The submitted noise assessment, which is the same as that submitted for 20/00964/FUL, relies upon data obtained from a further assessment undertaken for a development to the south of the site but also on Wheatfield Street. The Councils Environmental Health Officer has previously reviewed the noise assessment and has found its methodology and assessment satisfactorily robust and is satisfied with the mitigation required for this development in the form of improved glazing specification for the west facing windows and acoustic ventilation systems. Conditions are recommended to ensure the agreed mitigation methodology is undertaken.
- 5.5.3 The site is 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 NO₂ and PM₁₀ are below their respective long and short-term objectives at the proposed development site. It is considered therefore that the development site is 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. The Councils Environmental Health Officer is satisfied with this approach.
- 5.5.4 During the determination of the initial planning permission 20/00964/FUL, the Councils Environmental Health Officer considered the location of the development and its relationship with the operational rail network with particular reference to the impact of vibration. It was concluded that as the site lies 38 metres from the nearest railway track and 55 metres from the railway station, a vibration assessment is not required for development at this site. There has been no change with respect to the site characteristics nor the nature of the development proposal, it is therefore reasonable to assume the same conclusion for this development proposal in this respect.
- 5.6 **Highways and parking** (NPPF Section 9 Promoting sustainable transport, Section 12 Achieving well-designed places; Review of the Development Management DPD Policies DM29: Key Design Principles, DM60: Enhancing Accessibility and Transport Linkages; DM61: Walking and Cycling, DM62: Vehicle Parking Provision)
- 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 proposed access arrangement remains the same as that which was previously approved through application 22/01432/VCN and to which the County Highways Officer raised no objection to. However, in their consultation response to this latest

planning application, the County Highways Officer has now requested that the access road into the site feature 6 metre kerb radii to aid manoeuvrability and visibility. Unfortunately, this is not possible due to the width of the access and the location of the new building at the front of the site. Given the access remains the same as that previously approved by County Highways as part of application 22/01432/VCN, it is considered unreasonable to now require the developer to undertake a redesign the site access and to relocate or reduce in scale the footprint of the adjacent building to provide for County Highways latest request. Based on the proposed access arrangement previously being supported by County Highways as part of 22/01432/VCN, it is considered that the request for an altered access arrangement that would require a fundamental re-design of the site frontage is unreasonable. For this reason, the access arrangement can again be supported.

- 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. 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 rear building with an external access point for all residents. A condition requiring the storage facilities to be installed prior to occupation is recommended.
- 5.7 **Biodiversity and trees** (NPPF Section 15 Conserving and enhancing the natural environment; Review of the Development Management DPD Policies DM29: Key Design Principles, DM44: The Protection and Enhancement of Biodiversity, DM45: Protection of Trees, Hedgerows and Woodland)
- 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 angular zinc clad 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 warehouse building and its deteriorated condition (prior to demolition), the site was surveyed for the presence of bats and nesting birds. The bat survey, which is the same document provided for application 20/00964/FUL, was undertaken in August 2020 and would therefore be considered out of date in most cases. However, the building has now been demolished therefore any roosting potential provided within has now been lost. Fortunately, the survey undertaken in August 2020 concluded that there was no evidence of use of the site by bats or nesting birds. It is unlikely that bats commenced roosting after this date as development works commenced soon after the granting of planning permission in 2021. It is known that the vegetation which grew on the outside of the building, and which was in part responsible for the building's poor structural integrity, provided nesting habitat for birds. A mitigation strategy is contained within the survey, and this should be followed in order to ensure that the welfare of protected species, particularly bats and nesting birds, 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** (NPPF Section 14 Meeting the challenge of climate change, flooding and coastal change, Review of the 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)

5.8.1 A detailed drainage strategy for the proposed development was submitted and approved as part of discharge of condition application 22/00075/DIS relating to 20/00964/FUL. This included both surface water and foul drainage being directed towards the combined public sewer at a controlled rate following attenuation in a below ground storage tank. The already approved drainage strategy has now been updated to reflect this latest application which included an increase in the size of the attenuation tank volume to provide capacity for both of the new buildings and the hardstanding areas. The Lead Local Flood Authority have reviewed this proposal and raise no objection to the proposed changes. A condition to ensure the development is undertaken with the detailed drainage strategy is recommended.

5.9 **Other material considerations**

5.9.1 **Waste Storage** – The proposal includes the provision of waste storage facilities within the site along the southern boundary and enclosed by a combination of block walls and fencing. The Councils Waste and Recycling Officer has not provided a consultation response to this application, however, as part of the previously proposals, the Waste and Recycling Officer confirmed the number and type of bins that will be required. They also stated in their previous responses that they consider the storage areas to be too far from the entrance to the site, and that Council collection crews would not move the bins from these storage areas to the front of the site for collection and finally that the Council bin lorry would not enter the site. It would be for the site operator to arrange for the appropriate management and disposal of waste from the site. It is considered that the bin stores provided would provide satisfactory storage capacity whilst the applicant has previously advised they intend to use a privately managed waste collection service.

5.9.2 **Planning obligations** – A contribution of £7,344 has been requested by the NHS to mitigate the effects of the development. Specifically, the consultation response states *‘towards new infrastructure at Lancaster Medical Practice. A new build.’* However, the request fails to meet the required standard tests as precise details of the project to which the money will contribute have not been provided. Instead, the response sets out that it is not possible to give precise details at present. For this reason, the financial contribution requested is not being imposed upon the developer.

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. An Employment Skills Plan was approved as part of discharge of condition application 22/00075/DIS relating to 20/00964/FUL, and this has been submitted again for this application. A condition ensuring that this development is undertaken with this acceptable Employment Skills Plan is recommended.

5.9.4 **Sustainability** – An energy statement has been submitted which details 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.

5.9.5 **Conditions update** – A discharge of conditions application (22/00075/DIS) was submitted following the approval of original planning permission 20/00964/FUL and which agreed various details. Due to the inherent similarities between the development now proposed and the previously approved scheme, which this application seeks to replicate, relevant conditions will therefore be updated to

reflect the previously approved details agreed as part of the previous application. This will prevent the need for these details to be submitted and agreed for a second time.

6.0 Conclusion and Planning Balance

6.1 Prior to works commencing on site, the development site and building were in a deteriorated condition and detracted from the character and appearance of the locality and Conservation Area. Whilst consent has previously been granted for the change of use of the warehouse building, as works progressed, it became clear to the developer that the building was in poorer structural condition than first thought. Unfortunately, this has led to the developer demolishing the building without the benefit of planning permission and soon after a steel frame erected in advance of the construction of a new building. Retrospective planning permission is now sought for these aspects of the development, as well as the erection of new building as proposed. The loss of the warehouse building is regrettable, but it is supported for the reasons discussed in this report. Furthermore, the redevelopment of the site and construction of a new building to provide a frontage to Wheatfield Street, subject to the use of high-quality materials and finishes, will improve the overall visual appearance in the locality and in views from further afield. The change of use of the site and removal of industrial activities in favour of a residential use will also provide an improved relationship with the surrounding residential properties. It is considered the proposal will not result in unacceptable harm to residential amenity overall. The proposed development is 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	Approved plans	Control
2	Ventilation details	Prior to the continuation of works
3	Details and sample of materials to be agreed – Stone walling, render, quoins, window surrounds, window and door details	Prior to the continuation of works
4	Contaminated land assessment	Prior to occupation
5	Employment Skills Plan	Prior to occupation
6	Homeowner Information Packs	Prior to occupation
7	Provision of cycle storage	Prior to occupation
8	Security and lighting details	Prior to occupation
9	Provision of parking spaces	Prior to occupation
10	Provision of two 7.3kW electric vehicle charging points	Prior to occupation
11	Provision of bin storage facilities	Prior to occupation
12	Windows in accordance with noise assessment glazing specifications	Prior to occupation
13	Drainage Operation and Maintenance Plan	Prior to occupation
14	Drainage Verification Report	Prior to occupation
15	Surface water drainage strategy	Prior to occupation
16	Foul drainage strategy	Prior to occupation
17	Agreed material details	Control
18	Landscaping details	Control
19	AIA and approved tree works	Control
20	Ecological mitigation measures	Control
21	Hours of construction	Control
22	Gated access arrangement set back a minimum of 5 metres from highway	Control
23	Restriction to student accommodation	Control
24	Restricted use to manager accommodation only	Control

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

In accordance with Article 35 of the above Order, your decision notice contains reasons for the imposition of planning conditions (where planning conditions are imposed), and in the case of each pre-commencement condition, a justification for the pre-commencement nature of the condition(s). Lancaster City Council has made the decision 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 decision 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