

Agenda Item	A6
Application Number	23/01356/LB
Proposal	Listed building application for the retention of a performance area stage
Application site	John O Gaunt 55 Market Street Lancaster Lancashire
Applicant	Ms Claire Tomlinson
Agent	Mr David Hall
Case Officer	Mr Patrick Hopwood
Departure	No
Summary of Recommendation	Refusal

(i) **Procedural Matters**

The application has been called in to Planning Committee by Councillor Nick Wilkinson.

1.0 Application Site and Setting

1.1 The application site is a public house, listed at Grade II, within the Lancaster conservation area and adjacent to other listed buildings. The building is an early 19th century Georgian house with 20th century alterations and now used as a public house and charity shop at ground floor. The John O'Gaunt has a distinctive early 20th century bow window frontage with leaded glasswork which contributes to the character of both the interior and exterior and is an important contributor to the aesthetic value of the building. The building faces the pedestrianised Market Street.

2.0 Proposal

2.1 This application retrospectively seeks listed building consent for a stage area located internally at the front of the ground floor. The stage area is of timber construction with what appears to be laminate-style flooring and is enclosed by timber balustrades.

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
15/00976/FUL	Removal of part of flat roof and relocation of existing external fire escape staircase	Approved

15/00977/LB	Listed building application for the removal of internal walls, demolition of existing external rear store room wall, removal of part of flat roof, relocation of existing external fire escape staircase and refurbishment of the bar area	Approved
15/01124/LB	Listed building application for the fitting of one externally illuminated fascia sign, one illuminated hanging sign, one non-illuminated wall sign and one lantern	Approved
23/00650/ADV	Advertisement application for the display of one externally illuminated hanging sign, one non-illuminated amenity board, one externally illuminated fascia sign and one non-illuminated wall mounted sign	Approved
23/00651/LB	Listed building application for the fitting of one externally illuminated hanging sign, one non-illuminated amenity board, one externally illuminated fascia sign, one non-illuminated access sign, replacement of associated lighting and repainting of the exterior	Approved

4.0 Consultation Responses

4.1 At the time of writing this report, the following responses have been received from statutory and internal consultees:

Consultee	Response
Conservation Team	Objection. Stage has resulted in harm to significance of listed building
Lancaster BID	Supports. Positive impact to ensure viability of the premises and business.
Lancaster Civic Vision	Supports. Advantage of keeping pub viable outweighs minor damage.

4.2 At the time of writing this report, 205 letters of support from members of the public have been received. Summarised key issues raised include:

- Improvement to performances from height, enhances visibility
- Safety benefits, protects performers and equipment
- Accessibility benefits
- Increases footfall and custom
- Supports local live music which in turns supports the public house business
- Planning policies in favour of cultural development
- Can be removed with no damage
- In keeping, no impact on structural integrity and character of listed building
- Consent should not be required
- Other internal alterations previously permitted

5.0 Analysis

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

- Heritage

5.2 **Heritage** (NPPF Section 16; Policy DM37 of the Development Management DPD; Policy SP7 of the Strategic Policies and Land Allocations DPD)

5.2.1 In accordance with the Planning (Listed Building and Conservation Areas) Act 1990, 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. This is reiterated by the heritage policies of the Local Plan.

5.2.2 The Council's Conservation Team advise that the stage causes harm to the listed building, due to the stage negatively affecting the proportions and character of the building's interior. The appearance and size of the stage are the key contributors to this identified negative effect. The

positioning of the stage is considered to prevent full legibility and function of the bow window frontage as an interior space, including via negative impacts on the glazed entrance screen and flanking fireplace (chimney breast). Whilst it is recognised that other parts of the interior have been somewhat changed and refurbished over the years and that the stage is relatively low-rise, this front part of the public house was previously on a single level with no balustrades or raised areas, and has been relatively unchanged over recent years. The stage is also located at the front of the building so is seen on entry and also against the characterful stained glass bow window altering the listed building's spatial and visual character.

- 5.2.3 The Conservation Team also identified a risk of damage to the decorative stained glass bow window due to the stage's proximity to it. There is also further harm to the significance of the building via the inappropriate material palette and detailing (in particular the stage flooring material and balustrades), which are not of an appropriate quality and appearance in the context of the listed building and visually affect the interior ensemble. Overall, there is harm ('less than substantial' in the context of the NPPF) to the interior's character and appearance.
- 5.2.4 A site meeting between the Applicant and Council Officers identified the flooring not to be historic. Therefore it is understood that there is no undue harm to historic fabric from the screw fixings which hold the stage in place.
- 5.2.5 As the works are entirely internal, no impact on the Conservation Area is identified.
- 5.2.6 Section 16 of the NPPF seeks to conserve and enhance the historic environment; with Paragraph 205 affording 'great weight' to a designated heritage asset's conservation; Paragraph 206 requiring clear and convincing justification for any harm to the significance of a designated heritage asset; and Paragraph 208 requiring decision makers to weigh 'less than substantial' harm against the public benefits of the proposal. Policies DM37 and SP7 also seek to protect and enhance Lancaster's historic environment.
- 5.2.7 It is understood that the John O'Gaunt has operated successfully as a public house with live music performances for many years prior to the introduction of the stage. The submitted supporting documents suggest that there was a safety issue due to the lack of separation between performers and the audience. The statements also detail that visually and mobility impaired performers have particularly benefitted from the clearly defined performance space and the safety benefits of the balustrade. Amplifiers and other music equipment is now separated from audience members, and performers can be seen from further back. When not in use as a stage, the area is used for tables and chairs. These benefits are afforded limited weight, but the Council consider that the justification is not compelling enough on this occasion, given that a temporary stage could be used for music events only to fulfil the applicant's requirements.
- 5.2.8 Whilst the Council is broadly supportive of the local pub and live music scene recognising the benefits that this has to the community and local economy, it is considered that the stage is a poor quality and unsympathetic addition which negatively affects the internal character and special interest of the listed building. This harm is not considered to be clearly and convincingly justified, and not outweighed by the limited public benefits.

6.0 Conclusion and Planning Balance

- 6.1 Overall, the internal works completed are not acceptable for the reasons identified above, with the less than substantial harm not outweighed by the public benefits. For these reasons the application is recommended for refusal.

Recommendation

That Listed Building Consent **BE REFUSED** for the following reasons:

1. The raised stage area, by virtue of its scale, location and appearance, causes unjustified harm to the quality, character, significance and proportions of the listed public house's interior. Consequently, the proposal fails to conserve and enhance the historic environment and is contrary to Policy DM37 of the Development Management Development Plan Document, Policy SP7 of the Strategic Policies and Land Allocations Development Plan Document and Section 16 of the National Planning Policy Framework.

Background Papers

N/A