Application No: 1/10/9011

District: Carlisle City Council

Applicant: Cumbria County Council

Date of Receipt: 3 June 2010

PROPOSAL

Replacement of existing temporary buildings housing community centre and children's nursery with a new permanent building

Stanwix Primary School, Mulcaster Crescent, Stanwix, Carlisle, Cumbria, CA3 9DW
1.0 **RECOMMENDATION**

1.1 That planning permission is granted for the reasons stated in Appendix 1 and subject to the conditions in Appendix 2.

2.0 **THE PROPOSAL**

2.1 It is proposed to replace two existing temporary buildings housing community centre and children's nursery with a new single storey permanent building, one element for the nursery, and one for the community centre with a link block containing a common entrance. The proposal is in two phases and it is possible that one of the buildings will be replaced initially, with the second at a later date when funding is available.

2.2 The proposed building is designed specifically to avoid any excavation of the site which is the site of an important Roman Fort and is an Ancient Monument. The building would be constructed off site in large modules, delivered to the site by lorry, and assembled on a steel beam structure resting on a 200mm concrete raft foundation. This would sit on top of the tarmac, with only minimal removal of the surface, maximum 100mm, to create a flat surface.

2.3 Although the proposal is for a modular building it would not be temporary, with a manufacturer's specification for a minimum 60 year life. The structure would be formed from thermally efficient but lightweight panels, with one element clad in brick slips, and the other finished with a coloured render. There would be no gap under the building, as there is with temporary structures such as portakabins, as a brickwork plinth would be constructed. Because this would not be load bearing it would not need to have foundations penetrating into the Ancient Monument site.

2.4 Each of the elements would have a pitched roof, with a flat roof on the entrance link. The element adjacent to Church Lane would be covered with “Inspire” imitation slates made from recycled plastic and limestone chippings, and the other section adjacent to Stanwix House roofed with “sarnafil”, an artificial roof covering with standing seams designed to resemble lead roofing. Samples of these materials and the brick cladding have been submitted and a wide range of colours of brick and render are available including several that would be similar to those existing already in the Conservation Area.

2.5 It is proposed to remove the timber fencing from the boundary and install secure but attractive railings above the wall bounding Church Lane. A ramp would be constructed to the front of the development.

3.0 **CONSULTATIONS AND REPRESENTATIONS**

3.1 Carlisle City Council object on grounds that the proposal would be detrimental to the character and appearance of Stanwix Conservation area and have a harmful impact on the setting and appearance of several Listed Buildings.

3.2 **English Heritage** support the proposal.

3.3 The **Highway Authority** have no objections.
3.4 Cumbria Constabulary have no objections subject to a condition on fencing and boundary treatment.

3.5 The local Member Mrs EA Mallinson has been notified.

3.6 No representations had been received when this report was prepared.

4.0 PLANNING ASSESSMENT

4.1 The application site is within the Stanwix Conservation Area, and adjacent to the Church of St Michael and Stanwix House both of which are Grade II listed. Mulcaster House on Brampton Road is some 60m away from the site and is Grade II* listed. The area contains terrace houses, predominantly red brick or cream render, with a parade of small shops opposite the church. Stanwix Primary School is on the opposite side of Church Street from the application site.

4.2 The site is one of the highest archaeological sensitivity, within the Roman fort at Stanwix which forms an important part of the Hadrian's Wall World Heritage Site.

4.3 The site is currently occupied by two temporary buildings that have been on the site for many years and were granted an extension in 1997 (1/97/9002) of the previous temporary consent to 28 March 2000. They were also granted Conservation Area Consent (1/97/9028) for demolition subject to the condition imposed by the Secretary of State that no demolition works take place until a contract for the carrying out of works for the replacement buildings has been let and planning permission for these works has been granted. These consents applied to 8 temporary buildings in total, 6 of which were demolished for the construction of the extension to Stanwix School on the other side of Church Street.

4.4 The buildings are in a poor state of repair, and beyond the end of their useful life. Their replacement with a suitable development is clearly desirable. The continuation of the community centre and children’s centre and playgroup uses in replacement buildings is also desirable as the location opposite Stanwix Primary School maximises the service they are able to offer to parents and minimises additional journeys. Although the roads are very busy and parking is limited the Highway Authority have no objection to the application.

4.5 The key issue is the design of the building to meet both archaeological and Conservation Area objectives. The two aspects of historic environment have conflicting requirements as the character and appearance of the Conservation Area and the setting of the adjacent listed church might be best served by traditional materials and construction, but the imperative to preserve the Scheduled Ancient Monument in situ requires a lightweight building without any excavation into the ground.

4.6 I do not consider that the proposal would have an adverse impact on Stanwix House because its main façade is within high walls and not visible from this proposal. Mulcaster House which is a Grade II* Listed Building is also not visually associated with the application site.

Conservation Area and Listed Buildings

4.7 Initial pre-application discussions with the Carlisle Conservation Officer gave rise
to some suggestions about the design of the buildings; however on closer examination they proved to be impractical to construct. The final design does not meet with the approval of the Carlisle Conservation Officer and Carlisle City Council has objected to the proposal. This objection has been maintained following further communications and submission of more detail on materials.

4.8 They are of the opinion that

“the proposed buildings are no better than the existing and …advise that if replacement accommodation is required, the applicant should apply for temporary consent for the siting of modular buildings with a view to discussing a more permanent solution to the redevelopment of the site.

Archaeology and the World Heritage Site

4.9 The proposed design however is successful in meeting the archaeological objectives and this is the over riding policy consideration. English Heritage comment that

“It is to the credit of the applicant that, having recognised the sensitivity of this location, they have engaged English Heritage (amongst others) in positive pre-application discussions about this development. As a result of these discussions, the applicant has designed their proposal in a way as to largely avoid potential impact on important archaeological remains from the World Heritage Site. This has been achieved by producing a proposal which clearly commits to a depth of excavation no deeper than 100mm below the present ground surface. Given this level of excavation, English Heritage believes that the potential for this proposal to have a serious impact on the archaeology of the World Heritage Site is reduced to a level where the only archaeological mitigation that we would advise would be a watching brief on the construction work itself. With reference to the setting of the World Heritage Site, it is acknowledged that the design of the proposal is constrained by the foundations necessary to minimise archaeological impact, and in our view the design is such that it would not have a significant adverse impact on the setting of the World Heritage Site”.

4.10 I consider that the suggestion from Carlisle City Council described in paragraph 4.7 above is impractical and likely to lead to a worse outcome, in that a standard portakabin would have a significantly adverse impact on the Conservation Area. The funding for the Children’s Centre requires that the Centre remains for at least 25 years and it is unlikely that funds would be available in the short to medium term for a high quality replacement that met the archaeological objectives. Any temporary building could therefore remain on the site for many years.
4.11 The proposed modular building has a design life of at least 60 years which is not dissimilar to conventional but non traditional building life spans. The imposition of a temporary consent contrary to the requirements of the applicant is therefore not justifiable on planning grounds.

4.12 A very modern mainly glazed building might have been more attractive and relate better to the Listed church but the constraints of privacy and security for the children and the need to avoid overheating militated against such a design. In discussion with the applicant and modular building manufacturer one minor improvement, that the windows will be set 50mm behind the building facade to create deeper reveals to the windows and increase the sense of solidity and quality of the building.

4.13 I consider that the proposed development is a practical and feasible compromise that balances the needs of the buildings’ occupiers with the two historic environment objectives.

**Phasing**

4.14 There are two proposed users for the development, each of which has an independent source of funding. It has therefore been designed so that it is possible to proceed in two phases. Phase I would be the playgroup and children’s centre, with the community centre as Phase 2. Phase 1 is designed to be feasible without phase 2 although the continued presence of the old temporary building is not desirable. Suggested condition 3 requires that a scheme be submitted for the finishing and materials of the eastern elevation of the link block if phase 2 does not proceed at the same time as phase 1.

4.15 In such a circumstance it may also be advisable to use brick slips rather than render on the building closer to the church. Suggested condition 4 would require approval of external walling materials prior to any development above foundation level so this issue can be reconsidered.

**Fencing and boundary treatment**

4.16 The architectural liaison officer has commented that more detail of the proposed fencing and planters is required to ensure that the site can be kept secure. She has also offered the applicant advice about products to enhance security of the flat roof, but I do not consider this to be a planning requirement. The visual and conservation impact of the fencing is also a major consideration and suggested condition 5 would ensure a solution to address both issues.

**Human Rights Act 1998**

4.17 The proposal will have a limited impact on the visual amenity of the area. Any impact is minimal and proportionate to the wider social and economic interests of the community.
Conclusion

4.18 The proposal would enhance the facilities for children, families and the community in the area, and would not have an adverse impact on the Scheduled Ancient Monument or World Heritage Site. The adverse impact on the Conservation Area and the setting of the Church of St Michael would be mitigated by the use of suitable external materials and fencing.

4.19 I consider that the modular building proposed would not have an unacceptable impact on the setting of the Conservation Area or Listed buildings and recommend that planning permission be granted.

Paul Feehily
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Contact

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Background Papers

Planning Application File Reference No. 1/10/9011

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TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995 (AS AMENDED)

SUMMARY OF REASONS FOR GRANT OF PLANNING PERMISSION

1 This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.

2 The key development plan policies taken into account by the County Council before granting permission were as follows:


**Policy E38 – Historic Environment**

Measures will be taken to identify, record, protect, conserve or enhance areas, sites, buildings and settings of archaeological, historic and architectural importance. Proposals which fail to preserve or enhance the character or appearance of Conservation Areas or which damage, obscure, or remove important archaeological sites or other historic features or are detrimental to the character or setting of a listed building will not be permitted unless the harm caused to their importance and intrinsic interest is clearly outweighed by the need for the development.

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria’s Historic Landscape Characterisation Programme.

**Carlisle District Local Plan 2001 - 2016**

**POLICY LE6 - Scheduled/ Nationally Important Ancient Monuments**

Development will not be permitted where there is an unacceptable impact on scheduled and other nationally important ancient monuments and their settings.

**POLICY LE19 - Conservation Areas**

The City Council will continue to review existing and designate new conservation areas. Development proposals within and adjoining conservation areas will be granted planning permission provided they preserve or enhance their character and appearance. Any new development or alterations to existing buildings should harmonise with their surroundings and be in sympathy with the setting, scale, density and physical characteristics of conservation areas, and protect important views into or out of such areas. Applications for outline planning permission will not be accepted for proposals in conservation areas.
Proposals for new development and/or alterations to buildings in conservation areas will be judged against the following criteria:

1. the development should preserve or enhance all features which contribute positively to the area's character or appearance, in particular the design, massing and height of the building should closely relate to adjacent buildings and should not have an unacceptable impact on the townscape or landscape;
2. The development should not have an unacceptable impact on the historic street patterns and morphology, roodscape, skyline and setting of the conservation area, important open spaces or significant views into, out of and within the area;
3. development proposals should not result in the amalgamation or redrawing of boundaries between traditional buildings and plots, or demolition and redevelopment behind retained facades;
4. wherever practicable traditional local materials such as brick, stone and slate should be used and incongruous materials should be avoided;
5. individual features both on buildings and contributing to their setting, should be retained e.g. doorways, windows, shop fronts, garden walls, railings, cobbled or flagged forecourts, sandstone kerbs, trees and hedges, etc. Where features have deteriorated to the extent to which they have to be replaced, the replacement should match the original;
6. proposals which would generate a significant increase in traffic movements and heavy vehicles or excessive parking demands will not be permitted since these would be prejudicial to amenity;
7. proposals which would require substantial car parking and servicing areas which can not be provided without an adverse effect on the site and its surroundings will not be permitted.

In summary, the reasons for granting permission are that the County Council is of the opinion that: the proposed development is in accordance with the development plan; in particular the archaeological site will be conserved as required in Carlisle Local Plan Policy LE6, and the proposal would not have an unacceptable impact on the conservation area as required in Carlisle Local Plan Policy LE19; there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably be mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

The development shall be carried out in accordance with the approved scheme which shall comprise the following documents:

- the planning application form - dated 3 June 2010
- the design and access statement –
- Site Location Plan drawing 0988 (P) 01
- Elevations 1 drawing 0988 (P) 02
- Elevations 2 drawing 0988 (P) 03
- Ground floor plan drawing 0988 (SK) 170510 (01)
- Drainage Strategy drawing 0988 (SK) 170510 (02)
- Site sections A A drawing 0988 (SK) 170510 (03)
- Site sections C C drawing 0988 (SK) 170510 (04)
- Phasing drawing submitted 9 July 2010
- the decision notice

Reason: To ensure the development is carried out to an approved appropriate standard.

No development shall take place until a scheme detailing the phasing of the development has been submitted to, and approved in writing by, the local planning authority. In the event that a contract for phase 2 of the development is not let at the same time as the contract for phase 1, the scheme shall include detail and materials of the disabled access ramp, roofing for the external play area, and the exterior cladding and roofing of the north east elevation of the entrance block. Once approved the details should be implemented as detailed in the approved documents.

Reason: In the interests of visual amenity.

No development shall take place on the site above foundation level until samples of all external materials and finishes to be used have been submitted and approved in writing by, the Local Planning Authority. The statement shall include cladding, roofing and external paving. Once approved the external finishes should be applied as detailed in the approved documents.

Reason: In the interests of visual amenity.

No development shall take place until a scheme detailing boundary treatment has been submitted to, and approved in writing by, the local planning authority. The Statement shall include detail and location of fences, railings, planters and other boundary treatment. Once approved the details should be implemented as detailed in the approved documents.

Reason: In the interests of security and visual amenity.