

**Development Control Committee**  
Meeting to be held on 23<sup>rd</sup> January 2019

Electoral Division affected: Preston City
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**Preston City: Application Number. LCC/2016/0085**

**Change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1). Erection of a new build single storey pavilion building and demolition of the existing JDO building and its replacement with an office building / extension to the hotel. Change of use / conversion / part demolition and rebuild of No 8 East Cliff from offices (Class B1) to health spa (Class D1) and remodelling of existing car parking and landscaping works.**

**Former Park Hotel Complex, East Cliff, Preston.**

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**Executive Summary**

Change of use / conversion / extension of the former Park Hotel building from offices (Class B1) back to a hotel (Class C1). Erection of a new build single storey pavilion building and demolition of the existing JDO building and its replacement with an office building / extension to the hotel. Change of use / conversion / part demolition and rebuild of No 8 East Cliff from offices (Class B1) to health spa (Class D1) and remodelling of existing car parking and landscaping works.

Former Park Hotel Complex, East Cliff, Preston.

**Recommendation - Summary**

That planning permission be **granted** subject to conditions controlling time limits, working programme, landscaping, hours of construction, building materials, drainage, highways, noise and archaeology.

**Applicant's Proposal**

Planning permission is sought for a number of development proposals relating to the site of the Park Hotel and East Cliff Offices buildings on East Cliff, Preston. The proposals include:

- A change of use application to convert the Park Hotel building from its existing use as offices (Class B1) back to a hotel (Class C1). Due to its original use as a hotel, the only external alterations needed in order to put the

building back into hotel use are minor in scale with a new external fire escape and new staircase proposed. It is also proposed that the doors to the existing external fire escapes would be removed and replaced with windows to match existing. The conversion of the building from offices to a hotel would mostly consist of internal works to provide the building with dining rooms for approximately 200 guests, meeting and conference rooms and a total of 71 guest rooms.

- A change of use of No.8 East Cliff from offices (Class B1) to a health spa (Class D1). No 8 East Cliff is a listed building and Listed Building Consent was granted in December 2016 by Preston City Council for the part demolition and rebuild in order to carry out the proposed works required to convert the building to a new use.
- The demolition of the Joint Divisional Office (JDO) building and its replacement with a 5 storey office / hotel building in a similar location. It is proposed that the lower two floors of the building would house Lancashire County Council's Pension Fund staff whilst the upper three floors would provide an additional 44 guest rooms to be used in conjunction with the adjacent Park Hotel. Due to the space constraints on the site the building would be 'L' shaped, with the longest sides measuring approximately 42m and 38m with a width of 15m. The building would have a height of approximately 19m which is approximately 7m lower in height than the existing Park Hotel building. The replacement building would have a link corridor connecting to the Park Hotel building. The external elevations of the new five storey building would mainly consist of red and grey bricks and with large glazed windows. The main entrance to the building would be glazed to allow light into the entrance space.
- Part of the proposal includes the erection of a pavilion building which would be located immediately to the east of the Park Hotel building overlooking Avenham and Miller Park. This would be used as a banqueting suite and an additional kitchen area. There would also be a link corridor which would connect the proposed pavilion building to the Park Hotel building. The pavilion building would measure approximately 37m x 15m with a height of 6.5m. There would also be a link corridor which would connect the proposed pavilion building to the Park Hotel building. Red brick cladding with natural stone panelling would be used on the proposed pavilion to match the adjacent hotel. It is proposed that the recessed walls would be red brick with the piers and parapets in stone cladding.

## **Description and Location of Site**

The application site is situated at the western end of East Cliff to the south west of Preston City Centre. The application site consists of the existing Grade II listed No 8 East Cliff building, the red brick Park Hotel building which is not listed and the Joint Divisional Offices (JDO) office building. The JDO office building is a concrete 7 storey structure constructed in the 1960's. To the west of the JDO building is the west coast main railway line.

The whole site lies within the Avenham Conservation area. To the south is Avenham and Miller Park which is Grade II\* listed on the Register of Historic Gardens. There is also a large surface car park on the northern side of the site which is accessed from East Cliff via a narrow bridge called Vicars Bridge.

Other buildings close to the site on East Cliff include an office building at No.7 and a probationary hostel at No 6 East Cliff. Beyond these to the east, located off East Cliff are residential buildings and retail uses. The nearest residential properties from the proposed site are located 140m away at East Cliff Gardens.

## **Background**

### **History**

The Park Hotel and the JDO building were last used by the County Council as office buildings.

Listed Building Consent was granted in December 2016 by Preston City Council for the part demolition and rebuild of No 8 East Cliff. (06/2016/1135)

Planning permission was granted in November 2016 by Preston City Council for the demolition of existing Vicars Bridge, East Cliff and erection of new bridge. (06/2016/0687)

## **Planning Policy**

### **National Planning Policy Framework (NPPF)**

Paragraphs 11 and 12, 85 - 90, 124 - 132, and 189 - 197 of the NPPF are relevant with regards to achieving sustainable development, ensuring the vitality of town centres, achieving well designed places and proposals affecting heritage assets.

### **Preston Local Plan**

Policy V1 - Model Policy  
Policy ST2 - General Transport Considerations  
Policy EN8 - Development and Heritage Assets  
Policy EN9 - Design of New Development  
Policy EN11 - Species Protection

### **Preston City Centre Area Action Plan**

Policy - CC1 Model Policy  
Policy - EV0 Employment

### **Central Lancashire Core Strategy**

Policy 11 - Retail and Town Centre Uses and Business Based Tourism  
Policy 16 - Heritage Assets  
Policy 17 - Design of New Buildings

## **Consultations**

Preston City Council - The City Council's Environmental Health Officer considers that the recommendations within the submitted Noise Impact Assessment should be implemented. Doors and windows that open directly to external areas should be kept shut and a noise limiter should be installed whilst entertainment is taking place in the proposed pavilion building. The EHO also considers that consideration should be given to the provision of an acoustic lobby on the south facing façade of the pavilion building to prevent noise escaping from the building. The City Council's Conservation Officer considers that the design of the replacement office building is a standard approach which doesn't take into account the landscape setting. Objection is also raised to the size of the pavilion building with the design and materials chosen needing to be revisited.

County Ecology Service - No objection. The garages located next to no.8 East Cliff have some low potential for bat roosting, therefore the buildings should be checked by hand for such species before demolition. Final checks on trees should be carried out just prior to removal of any tree to confirm the continued absence of bats. Standard measures for protection of nesting birds and retained trees should be sought through planning conditions. Replacement planting should also be secured as part of a planning condition to compensate for the loss of trees on site. Avoidance of additional illumination of wildlife habitat should be secured.

Lancashire Archaeological Advisory Service - No objection. The impacts of the proposals on the designated heritage assets are considered acceptable. A condition should be added requiring that no development should take place until the applicant has secured the implementation of a programme of archaeological recording and analysis to be approved by the Local Planning Authority.

County Landscape Service - Any trees to be retained will require a Root Protection Area during construction.

LCC Highways Development Control - No objection. The highway authority can support the application on assumption that all planning conditions are satisfied and advised measures provided under a S278 agreement. The East Cliff Bridge replacement which has already been given planning permission should be replaced prior to the development being brought into use. A pedestrian route should be maintained into Miller Park from the East Cliff site and should be available for all members of the public to use. Also traffic calming measures are needed at the junction of East Cliff with Ribblesdale Place and extending onto East Cliff (a scheme should be submitted). A construction method statement should also be submitted prior to the commencement of development together with an annual Travel Plan.

LCC Lead Local Flood Authority - No observations received.

The Victorian Society - Welcome the principle of the scheme, but objection is raised to the design of the proposed development and state that a more contextual and coherent approach to the redevelopment is required.

Historic England - Objection was initially raised to the design of the proposed office building and suggest that a less dominant palette of materials should be used. The objection has been removed following submission of a revised design.

Network Rail - No objection in principle. However, the site is in close contact with Network Rail assets and measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. The development must ensure the proposal, both during construction and after completion doesn't affect the safety, operation or integrity of the railway. A number of schemes should be submitted to Network Rail in order to carry out the development to minimise the risk to Network Rail assets.

Representations - The application has been advertised by press, site notice and neighbouring residents informed by individual letter. Four representations have been received raising concerns regarding noise impacts from the wedding - function venue and noise impacts whilst construction works are taking place. Objections have also been received stating the proposed development would affect the surrounding highway network which would not be able to cope with the additional traffic that would arise from the proposed development. Comments have also been received that a footpath should be retained that currently allows members of the public to walk to and from the Miller / Avenham Park towards the City Centre.

## **Advice**

The application is for the redevelopment and reuse of the East Cliff complex through a combination of conversion and new build proposals. The proposals include a change of use application to convert the former Park Hotel building from its existing use as offices back to a hotel use together with a new pavilion building to provide an additional function room. A change of use of No.8 East Cliff is proposed to change the use of the building to a health spa (Class D1) to be used in association with the hotel. The proposal also includes the demolition of the existing Joint Divisional Offices building and its replacement with a new building incorporating office space and hotel rooms.

The former Park Hotel building would also hold a public bar at ground level, a dining area capable of seating approximately 150 guests and a total of 71 guest rooms. It is proposed that the lower floors of the new building would house Lancashire County Council's Pension Fund staff whilst the upper floors would provide additional accommodation to the Park Hotel to provide a further 44 guest rooms.

The Preston City Centre Area Action Plan was adopted in 2016 and sets out a number of opportunities and issues for Preston city centre which need to be addressed if Preston is to achieve its aspirations for growth. One of the three main issues identified in the Plan is the limited leisure, culture and tourism offer. The Plan recognises that there is a significant opportunity to attract more staying visitors given Preston's ideal geographical location.

The Preston Hotel Needs Assessment has indicated a requirement for approximately 500 additional rooms over the period 2013 to 2027. The assessment also found that 'Preston is not, recognised as a key conference and event destination at present'. However, the site is located in the city centre and is close to the existing railway station and therefore occupies a central location and there is therefore no reason why Preston could not capitalise on its location by providing such facilities. To improve the commercial viability of the scheme, the applicant wishes to create a conference and event space facility. A room of sufficient size is not currently available within the existing Park Hotel and therefore the pavilion building is proposed to provide such a facility.

The site is not designated under any local planning policy other than as being part of Preston's City Centre and located in a conservation area. In the adopted Preston Local Plan and Preston City Centre Plan the site has no specific land use allocation. However, policy 11 of the Central Lancashire Core Strategy states that development for tourism and visitors will be supported in the city centre.

It is therefore considered that the overall development has the potential to add significantly to the vitality of the city centre and to building a strong and competitive economy as supported by sections 6 and 7 of the National Planning Policy Framework.

The main issues relate to the impact of the development on the existing heritage designations, highways and amenity impacts.

### Heritage Impacts

The main issues in terms of heritage relate to:

- The impacts of the new pavilion building on the setting of the Grade II listed building at no 8 East Cliff.
- The impacts of the whole development including the new office / hotel buildings on the setting of Avenham and Miller Park which is listed Grade II\*.
- The impact on the character of the Avenham Conservation Area.

The applicant has included a full assessment on the impact on heritage issues in the planning application. This outlines that even though the proposed development would change the character and context of the application site, these changes would be largely positive and serve to restore some of its original grandeur of what was the Park Hotel and its environment. The applicant considers that there would be minimal detrimental impacts upon the heritage assets and the development would sit comfortably alongside both existing historic and more recent contemporary development within the Avenham Conservation area.

The whole site lies within the Avenham Conservation Area which was originally designated in 1975. The site immediately overlooks the Avenham and Miller Park which is Grade II\* listed on the Register of Historic Gardens. The former Park Hotel building is a non - designated heritage asset and No 8 East Cliff which is proposed to be converted from offices to a Spa facility is a Grade II listed building.

Paragraph 189 - 192 of the NPPF states that local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Also in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality
- c) the desirability of new development making a positive contribution to local character and distinctiveness

The National Planning Policy Framework requires that great weight should be given to the conservation of heritage assets and the more important the asset, the greater the weight should be. This policy applies irrespective of whether any potential impact amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 195 of the National Planning Policy Framework states that where a proposed development would lead to substantial harm to a designated heritage asset, permission should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh that harm or all the following apply:

- The nature of the heritage asset prevents all reasonable uses of the site.
- No viable use of the heritage asset can be found in the medium term through appropriate marketing that will enable its conservation.
- Conservation by grant funding or some form of not for profit, charitable or public ownership is demonstrably not possible.
- The harm or loss is outweighed by the benefit of bringing the site back into use.

Where a development proposal would 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 securing its optimal viable use.

The proposed pavilion building would be located to the rear of No.8 East Cliff which is listed (Grade II) for its design, appearance, materials and internal staircase. All these elements will be retained as an essential element of the proposed change of use and the only impact will be to the setting of the building due to the construction of the pavilion to its rear. All the internal changes and removal of the external fire escape have been considered by Preston City Council as part of a Listed Building Consent granted in December 2016.

The pavilion building would be a single storey structure measuring approximately 37m by 15m located to the rear of No.8 East Cliff. It would also include an attached kitchen area which would occupy much of the space between No.8 East Cliff and the

main Park Hotel building. The area was last used as a car park and is also currently occupied by a number of small buildings / sheds. From East Cliff, the new kitchen area would be seen adjacent to No.8 but it would be a single storey structure that would retain some separation from the listed building. It is considered that No.8 East Cliff would retain the distinctive symmetry of its frontage and its setting would not be unduly affected by the new development. To the rear of No.8 East Cliff, the new pavilion would occupy much of the existing car park but would retain some separation to the existing building. From this side of the site, views of the building are only really appreciated from the adjacent park. This is set at a considerably lower level than the floor level of the proposed pavilion and the banking forming the edge of the park is occupied by substantial trees and shrubs which serve to obscure views of the No.8 East Cliff from the park. It is acknowledged that the pavilion building would have a substantial floor area but due to its single storey height, its impact on the setting of the listed building when seen from the south would be limited.

### Design and Scale of the new office / hotel building

The Joint Divisional Office building is a grey concrete structure built in the 1960's and is not considered to be of any particular heritage interest or importance. As a later addition to the site it is considered that its demolition and the erection of a modern, high standard office and hotel extension building in its place is appropriate and, provided that the design of any new building is acceptable, would provide an overall enhancement to the area.

The new office building would be 5 storeys in height which is two storeys less than the existing Joint Divisional Office building and due to the topography of the site and the high ceiling heights of the Park Hotel itself, it is considered the proposed new building would be subservient to the original hotel. Due to objections being received from the City Council and amenity societies regarding the scale, massing and chosen materials for the proposed office building, the applicant has made a number of changes to reduce the impact on the new building. These include removing a full storey from the proposed office building, setting back the upper floor to reduce its visual presence even further and so that it is aligned with the eaves line of the Park Hotel building and using more glazing on the proposed office building. Also due to the space constraints on the site the replacement office building would be 'L' shaped, with the longest sides measuring approximately 42m and 38m with a width of 15m. The building would have a height of approximately 19m which is approximately 7m lower in height than the existing Joint Divisional Offices building.

The proposed new buildings have been designed to be subservient to the existing buildings and to complement the local area. The materials have been chosen to reflect the existing red brick materials used elsewhere on the site and as well introducing a modern element with a mixture of stone cladding, grey brick and glazing.

Preston City Council have raised concerns that the design of the replacement office building is a standard approach which doesn't take into account the landscape setting and also object to the size and massing of the pavilion building. The proposed pavilion has been sited in this location to utilise the views over the historical park. The City Council's comments are acknowledged but Historic England

are in support of the proposed design of the building. They consider that the overall development would cause less than substantial harm to the grade II\* listed park and consider the revised amendments to the design of the development to be positive. It should be noted that the pavilion building is required to widen the offer of the site therefore improving the commercial viability of the overall proposal.

In terms of the impact on the setting of Miller and Avenham Parks, the existing hotel and Joint Divisional Office buildings are visible from certain locations within the park. However, views are generally well screened by the mature trees and shrubs that are located on the banking forming the northern edge of the park. The distinctive design of the existing Park Hotel particularly the chimney stacks and other vertical elements of the building are prominent in some views as they project above the tree line given the elevation of the hotel building above the park. The proposed new office / hotel building would have a less dominant impact than the existing Joint Divisional Office building by reason of its reduced height and more appropriate materials which would result in the distinctive outline of the Park Hotel building being the more prominent structure when viewed from the park. The pavilion given its limited height would also not have a substantial harmful effect on the setting of the park.

Similar conclusions can be drawn in relation to the impact on the character of the Avenham Conservation Area. The proposed pavilion building by reason of its height and location would not markedly affect the appearance of the Conservation Area and the materials and dimensions for the replacement office / hotel building would give rise to an enhancement to the current situation especially when viewed from locations in Preston city centre where the existing joint divisional office building is prominent against the more traditional design of the Park Hotel. Taking these considerations into account, the development is therefore considered to be acceptable in terms of the character of the Conservation Area.

Due to its original use as a hotel, very few external alterations are required to the Park Hotel building to convert it back to a hotel use. The external alterations include a new external fire escape and staircase. It is also proposed that the doors to the existing external fire escapes would be removed and replaced with windows to match existing.

To conclude on heritage issues, it is considered that the development would have a less than substantial impact on the heritage assets that are within and adjacent to the site. Whilst there would be some impacts, paragraph 197 of the National Planning Policy Framework indicates that in such circumstances a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### Ecology

An Extended Phase 1 Ecology Survey and Bat Inspection was submitted with the application. The development site consists of a number of car parks and buildings and the only habitats of ecological value are the scattered trees and shrubs. The survey has concluded there would be no negative impacts on existing habitats across the site. However it recommends that if any trees are to be removed they are replaced at a 3:1 ratio and measures should be put in place to protect all retrained

trees on site whilst construction is being carried out on site. Bat surveys were carried out on trees and buildings impacted by the proposed development. The tree inspection found there to be no potential for bats in the trees on site.

According to the visual building inspection, those parts of the Park Hotel affected by the development proposals do not have potential for roosting bats. The roof of No. 8 East Cliff and neighbouring garage were found to have low potential to be used by bats. No works are required to the roof of no. 8 East Cliff and given the low potential for bats in any of the garage buildings, it is not considered that a specific condition is required requiring a hand search of the building prior to any demolition taking place.

### Traffic Issues

Policy ST2 (General Transport Considerations) of the Preston Local Plan specifies that all development proposals will need to show that road safety and the efficient and convenient movement of all highway users (including bus passengers, cyclists and pedestrians) are not prejudiced, and that appropriate provision is made for public transport services and pedestrians, cyclists and the needs of disabled people are fully provided for.

The site is accessed via East Cliff which links the site with Preston City Centre. East Cliff is a single carriage way road with two way traffic movements with a road width of 5m. There is a section of East Cliff which narrows to a single lane as it crosses over the Vicars Bridge which requires oncoming vehicles to give way in order to cross the bridge. Planning permission was granted in November 2016 by Preston City Council for the demolition of the existing Vicars Bridge and erection of new bridge which would provide improved access into the site. The replacement bridge would provide a 5m wide carriageway with a pedestrian footway on the northern side similar to the existing bridge. Objections have been received stating that the proposed development would impact the surrounding highway network and would not be able to cope with the traffic volumes that would arise from the proposed development.

Even though the application site is not currently in use, the buildings previously functioned as offices for Lancashire County Council. The applicant has undertaken a Traffic Forecasting and Highway Impact assessment which has assessed and surveyed traffic movement's on similar sites around the country (excluding greater London). According to the assessment the proposed development, would generate approximately 74 two way trips in the AM peak and 39 two way trips in the PM peak period. The site has a historic use as offices which would have generated a substantial level of vehicle movements. It is important to recognise that the site is in a highly sustainable location as it is close to the railway station and other transport facilities in Preston city centre. LCC Highways raise no objection provided that the bridge is replaced prior to any use of the development commencing on the site and subject to conditions relating to submission of a travel plan and a scheme of traffic calming measures at the junction of East Cliff and Ribblesdale Place. With regard to the bridge, it is considered that the condition should require the bridge replacement to take place prior to any development including demolition works being carried out given the level of HGV movements that would be derived from the demolition of the existing office buildings. With such conditions, it is not expected that the

development would have an unacceptable impact on the surrounding highway network.

The location of the site in the city centre would provide accessibility by a variety of means of transport, including by public transport, bicycle and walking. There are a number of off-road cycle routes near to the site which include routes to Moor Park that extend onto the Guild Wheel. Preston railway station is located 300m north of the site and is well placed for visitors and employees of the hotel / offices.

There are currently 219 car park spaces available on the site but due to the construction of the proposed pavilion building this would be reduced to 124 spaces. Policy ST1 of the Preston City Local Plan includes car parking standards which gives a parking requirement of 157 spaces for this proposal given the number of hotel rooms and area of office space. This is greater than the level of parking that would be provided on the site. However, the policy states that lower levels of provision will be appropriate on sites well served by public transport. It is considered that a lower level of provision on this site would be acceptable given its sustainable location and close proximity to other car parks in the city centre. Also in close proximity to the site is the Fishergate shopping centre which provides further car parking facilities.

A representation has also been received requesting that a footpath that currently allows members of the public to walk to and from the Miller / Avenham Park towards the City Centre should be retained. There are no Public Rights of Way through the site and the footpath is only an informal route. However, the applicant has confirmed that the location of the new office / hotel building would allow space for an informal footpath to be provided on the land between the building and the railway line. The details of this can be included within a condition relating to the general landscaping of the site.

### Residential Amenity

The proposed pavilion building would provide a new function room, bar and kitchen area. The applicant proposes this additional space in order to provide a new event and function suite which cannot be provided within the existing Park Hotel building. This facility would broaden the offer of the new hotel and would therefore add to its commercial viability.

The southern elevation of the building includes a number of glass doors which could be opened up to allow access to two outside terrace areas providing views over Miller Park. A noise impact assessment has been submitted by the applicant to determine the predicted noise levels from the proposed pavilion building to the nearest residential properties which are located approximately 120m away from the proposed site and the nearest proposed hotel bedroom in the Park Hotel building. As part of the noise survey, noise monitors were located on the proposed site over a five day period to record existing background noise levels and to allow an assessment of noise impacts from the use of the venue including playing of music. Objections have also been received from local residents regarding noise impacts from events taking place in the proposed pavilion building.

To mitigate the impacts of noise, the applicant proposes to incorporate a sound ceiling as part of the design of the pavilion building. The sound ceiling and directional speakers located over the dance floor would help minimise noise escaping the room. Preston City Council's Environmental Health Officer has requested conditions requiring the applicant to close windows and doors whilst live entertainment is taking place within the venue. However, the outdoor terrace would be an integral part of the venue and it is considered that any conditions requiring doors and windows to remain closed would detract from the use of the venue and would be very difficult to enforce. The Environmental Health Officer has also suggested that an acoustic lobby should be incorporated into the design of the pavilion so that noise from the interior of the building would be better contained. However, the applicant does not wish to incorporate a lobby as it would remove much of the outdoor space overlooking the park which is considered to be an important feature of the development.

The nearest residential properties are located at East Cliff Gardens which are approximately 130 metres from the proposed pavilion. Other properties to the west of the site are located on South Meadow Lane around 300 metres from the site. The noise assessment shows that during the daytime period, noise complaints are unlikely due to the level of background noise. However after midnight, the assessment recommends that playing of music at the site is terminated due to predicted exceedances in low frequency and broadband noise. Although this site is located in the centre of Preston, it is important to recognise that the area to the south of the hotel and many of the other properties in this area is comprised of the park, River Ribble and agricultural fields where there are few sources of noise.

Noise levels at these facades will therefore be lower than those often found in urban areas particularly at night when noise from the west coast main railway line will be less prominent. To ensure that noise impacts from the playing of music do not create amenity impacts for local residents, it is considered that conditions should be imposed which prevent the playing of music after 12.00 midnight and to require to installation of the acoustic ceiling within the pavilion building. In addition it is considered that a condition is also required requiring a noise limiter to be installed and used whenever live or pre - recorded music is being played in the building. With such conditions it is considered that noise levels can be controlled to acceptable levels such that they would not have unacceptable impacts on local amenity.

### Flooding Impacts

Policy 29 of the Central Lancashire Core Strategy seeks to improve water quality and water management to reduce the risk of flooding by using a number of measures including managing the capacity and timing of development to avoid exceeding sewer infrastructure capacity and encouraging the adoption of Sustainable Drainage Systems. The site is located within a flood zone 1 area, which has been assessed as having minimal 0.1% change of flooding from rivers in any given year.

The proposed development would not increase flood risk on or off site as the impermeable areas of the site would not increase. However, where possible new development should incorporate sustainable drainage systems and as details of attenuation have not been provided it is considered that a condition should be

attached to any permission for the proposed development requiring the applicant to submit full details of attenuation for surface water run-off prior to the commencement of development. A further condition should also be added requiring the applicant to submit details of how surface water and pollution prevention would be managed during construction of the proposed development.

### Conclusion

The proposal would deliver a hotel - led development which would ensure the long term vitality and viability of a vacant heritage asset that would support Preston City Centre town centre policies to secure competitive, vital and viable town centre environments, including the introduction and retention of main town centre uses. Whilst some new development is required to support and ensure the viability of the new use, it is considered that the new buildings are of a scale and design where they respect the setting and historical interest of the existing heritage assets in this area. Therefore the proposed development is acceptable in terms of visual amenity and impacts on heritage assets.

The existing buildings on the site have a historic and established use as offices and the use of the site for a hotel would not give rise to significantly greater traffic movements than previously occurred. Conditions can be imposed to manage any residual traffic issues on the highways leading to the site. Any impacts on local amenity through the extended use of the hotel facilities can be managed through appropriately worded planning conditions such that noise can be controlled to acceptable levels.

In conclusion the proposed development is considered to accord with the policies of the National Planning Policy Framework and the Development Plan and the impacts of the development can be adequately mitigated through the use of planning conditions.

### Human Rights

The Human Rights Act 1998 requires the County Council to take into account the rights of the public under the European Convention on Human Rights and not to act in a manner incompatible with those rights. Article 1 of the 1<sup>st</sup> Protocol states that an individual's peaceful enjoyment of their property shall not be interfered with except as is necessary, in accordance with law and as is proportionate.

This application if approved would be unlikely to cause such impact on neighbouring properties which would breach those rights. The conditions relating design, highway matters, and control of hours and level of noise will protect the amenity of local residents and the development would not have a disproportionate impact on the peaceful enjoyment of neighbouring residents.

### Recommendation

That planning permission be **Granted** subject to the following conditions:

### Time Limits

1. The development shall commence not later than 3 years from the date of this permission.

*Reason: Imposed pursuant to Section 91 (1)(a) of the Town and Country Planning Act 1990.*

### **Working Programme**

2. The development shall be carried out in accordance with the following documents:

a) The Planning Application received by the County Planning Authority on 18th November 2016 as amended by the letter and amended details from Cassidy and Ashton dated 31st October 2018.

b) Submitted Plans and documents:

Drawing No - L01 / Location Plan  
Drawing No. L13 / Proposed Site Plan  
Drawing No - L05 / Elevations as Proposed Front and Rear  
Drawing No - L07 / Elevations as Existing  
Drawing No - L08 / Elevations as Existing  
Drawing No - L09 / Elevations as Existing  
Drawing No - L10 / Elevations as Existing  
Drawing No - L13.1 / Proposed Elevation Office  
Drawing No - L13.2 / Proposed Elevation Office  
Drawing No - L14.1 / Proposed Elevation Office  
Drawing No - L14.2 / Proposed Elevation Office  
Drawing No - L26 / Elevations as Proposed  
Drawing No - L27 / Elevations as Proposed  
Drawing No - L28 / Elevations as Proposed  
Drawing No - L30 / Elevations as Proposed

c) All schemes and programmes approved under the requirements of this permission.

*Reason: To minimise the impact of the development on the amenities of the area and to conform with Policies EN9 of the Preston Local Plan.*

### **Landscaping**

3. Within three months of the commencement of development, a scheme and programme for the design of external works including landscaping shall be submitted to the County Planning Authority for approval in writing. The scheme and programme shall include details of:

a) Details for the planting of trees and shrubs including numbers, types and sizes of species to be planted, location and layout of plants, protection measures and methods of planting.

b) Details of cycle and motorcycle parking including location, design and numbers of secure parking facilities to be provided.

c) Details for the design and layout of the car park including number, position and design of disabled parking spaces.

d) Details for the provision of a footpath around the perimeter of the site to link Miller and Avenham Park with East Cliff including route and surfacing.

The approved landscaping works shall be undertaken in the first planting season following the completion of the development and shall thereafter be maintained for a period of five years including weed control, replacement of dead and dying trees and maintenance of protection measures.

The parking facilities including cycle / motorcycle parking contained in the approved scheme shall be implemented prior to the development being brought into use.

*Reason: In the interests of visual and local amenity and the local environment and to conform with Policy EN3 of the Preston Local Plan.*

## **Building Materials**

4. No development shall commence until details of the building materials to be used for the external elevations of the buildings have been submitted to and approved in writing by the County Planning Authority. The details shall include information on the following:-

a) the brick materials that are to be used to convert door openings on the Park Hotel building to windows and the design and materials of any new windows to be fitted.

b) the materials to be used for the external elevations of the new office / hotel building including the brick materials to be used, colour of cladding and materials for windows and doorways.

c) the materials to be used for the external elevations of the stair well and lift shaft of the new office / hotel building

d) the materials to be used for the new pavilion structure including the stone cladding materials used on the south facing elevation.

e) details of the lighting to be fixed to the southern elevation of the new buildings including location and type of lights, power and lighting controls.

Thereafter the materials and lighting design contained in the approved details shall be used in the construction of the buildings.

*Reason: In the interests of the visual amenity and design of the adjacent heritage assets and to conform with Policy 17 of the Central Lancashire Core Strategy.*

## **Drainage**

5. No development shall commence until details of the sustainable drainage measures to be incorporated within the construction of the replacement office / hotel building have been submitted to and approved in writing by the County Planning Authority. The approved measures shall be installed as part of the construction of the building and shall be maintained in full working order thereafter.

*Reason: In the interests of the prevention of flooding and to conform with Policy 29 of the Central Lancashire Core Strategy*

## **Highway Matters**

6. No development including demolition of the existing JDO Building shall take place until the existing bridge on East Cliff (Vicars Bridge) has been replaced in accordance with the design approved under planning permission ref 6/16/687.

*Reason: In the interests of highway safety and local amenity and to conform with policy ST2 of the Preston Local Plan.*

7. No development shall commence until a scheme of traffic calming measures to be implemented on East Cliff has been submitted to and approved in writing by the County Planning Authority. The scheme and programme shall contain details of the following:
  - a) measures to reduce vehicle speeds on East Cliff
  - b) measures to control on street parking on East Cliff between its junctions with Ribblesdale Place and East Cliff Road.
  - c) a timetable for the implementation of the above traffic calming measures.

*Reason: In the interests of highway safety and local amenity and to conform with Policy ST2 of the Preston Local Plan.*

## **Construction and Demolition Works**

8. No trees or shrubs shall be removed or buildings demolished during the period between 1st March to 31st July unless such vegetation or buildings have been previously checked in accordance with Natural England Guidance for the presence of breeding or nesting birds. If the presence of any such breeding or nesting activity is detected an exclusion zone shall be established around any nest site and no works shall take place within that area until it has

been established that any nesting has been completed and that fledglings have departed the nest.

*Reason: In the interests of ecology and to conform with Policy 22 of the Central Lancashire Core Strategy.*

9. No demolition or construction operations shall take place until a construction management plan has been submitted to the County Planning Authority for approval in writing. The construction management plan shall include details of the following:-
  - a) the hours of construction operations including control of HGV movements from the site.
  - b) details for the routing of HGV's to and from the site including the measures to be taken to inform hauliers of the approved routes to the site. Hauliers should be advised that they should not approach the site via Lune Street and Fishergate.
  - c) the measures to be taken to protect the railway during the demolition of the JDO building and construction of the new hotel / office building. The proposed measures shall address the matters raised in the letter from Network Rail dated 20th November 2018.

The measures described in the approved construction management plan shall be implemented during all demolition and construction works.

*Reason: In the interests of local amenity and highway safety and to protect the integrity of the railway and to conform with Policy 17 of the Central Lancashire Core Strategy*

10. Measures shall be taken at all times during demolition and construction works to minimise the generation of dust.

*Reason: In the interests of local amenity and to conform with Policy 17 of the Central Lancashire Core Strategy*

11. The hotel and new offices shall not be brought into use until a Travel Plan, as defined by this permission, has been submitted to and approved in writing by the County Planning Authority .

The Travel Plan shall include:

- a) A brief description of the development, its location and a summary of the particular transport and road safety issues at the site;
- b) Evidence and results of consultation with hotel staff and users of the office space;

- c) Measures to minimise the impact of/reduce private car use for the journey to and from the site by hotel staff and users of the office space.
- d) details for the management of car parking including how users of the hotel / office facilities will be informed of the car parking facilities that are available at the site and at other locations in the event that on site facilities are full.
- e) Proposals for monitoring progress of the Travel Plan including a timetable for its implementation and review.

*Reason: In the interests of highway safety and to conform with Policy ST2 of the Preston Local Plan.*

### **Control of Noise**

12. No construction of the pavilion building shall take place until details of the proposed sound ceiling have been submitted to and approved in writing by the County Planning Authority.

The approved ceiling design shall be installed as part of the construction of the pavilion building and shall be retained thereafter.

*Reason: In the interests of local amenity and to conform with Policy 17 of the Central Lancashire Core Strategy.*

13. The proposed pavilion building shall not be brought into use until details of the measures to be installed to reduce impacts from any sound amplification equipment has been submitted to and approved in writing by the County Planning Authority. The details shall include:

- a) The design of the speaker system to be installed within the pavilion building

- b) Details of a noise limiting device to be fitted to any PA or amplification equipment used at the site including the noise to which such equipment is to be set. The noise level used shall be based upon a background noise level survey undertaken on the southern boundary of the hotel site between the hours of 23.00 hours and 24.00 hours midnight. The survey shall be undertaken according to the methodology in BS4142.

The level used for the limiting device shall ensure that the noise from the site in each octave band between 63Hz and 4Hz shall not exceed the background level when measured at any noise sensitive property.

- c) The procedure to be followed in the event that there is a complaint about noise from the site including reviewing the levels used on the noise limiting device.

The noise limiting device and approved speaker system shall be employed at any time when PA or amplification equipment is used at the site and shall be set at the level identified under part b) of this condition or any alternative level subsequently approved under the requirements of c).

*Reason: In order to control noise in the interests of the amenity of local residents and to conform with Policy 17 of the Central Lancashire Core Strategy.*

14. The playing of amplified music within any part of the hotel or pavilion shall not take place after 12:00am midnight on Mondays to Sundays.

*Reason: In the interests of the amenities of the area and to conform with Policy 17 of the Central Lancashire Core Strategy.*

### **Archaeology**

15. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the County Planning Authority.

*Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings.*

### **Notes**

This consent requires the construction, improvement or alteration of an access to the public highway. Under Section 184 of the Highways Act 1980, the County Council, as Highway Authority, must specify the works to be carried out. Only the Highway Authority or a contractor approved by the Highway Authority can carry out these works. Before any works to the access commence you should contact Lancashire Community Services, Cuerden Way, Bamber Bridge, Preston PR5 6BS Tel: 01772 658560 quoting the planning permission reference.

The applicant's attention is drawn to the requirements of the Equality Act 2010 and the British Standards Institution Code of Practice for Design of Buildings and their approaches to meet the needs of Disabled People (BS8300:2009). The design of the building will also need to comply with Part M of the Building Regulations 2010. In the case of educational buildings, the applicant's attention is drawn to the Special Educational Needs and Disability Act 2001 and the guidance prepared by the Department of Education and Skills Building Bulletin 91 (Access for the Disabled to School Buildings) and Building Bulletin 94 (Inclusive School Design).

### **Local Government (Access to Information) Act 1985 List of Background Papers**

Paper	Date	Contact/Ext
LCC/2016/0085	January 2018	Faiyaz Laly / 01772 538810

Reason for Inclusion in Part II, if appropriate  
N/A