

DECISION DATE 1 April 2009	APPLICATION NO. 09/00088/FUL A9	PLANNING COMMITTEE: 9 March 2009
DEVELOPMENT PROPOSED INSTALLATION OF GLAZED DOORS AT EACH END OF ANCHOR LANE		SITE ADDRESS VUE CINEMA CHURCH STREET LANCASTER LANCASHIRE LA1 1LP
APPLICANT: Vue Entertainment Ltd 10 Chiswick Park 566 Chiswick High Road London W4 5TS		AGENT: Unick Architects Ltd

REASON FOR DELAY

None.

PARISH NOTIFICATION

None.

LAND USE ALLOCATION/DEPARTURE

The site is within the City Conservation Area as indicated in the Lancaster District Local Plan.

STATUTORY CONSULTATIONS

County Highways - No objections.

Lancaster Civic Society - Views are awaited and will be verbally reported to members.

Police - Verbal comments received - No objections.

Conservation Officer - No objections.

Legal Services – No objections.

Property Services - Verbal comments received - No objections.

Access Officer - No objection subject to the conditioning of door details (widths, self-opening, etc).

OTHER OBSERVATIONS RECEIVED

An objection has been received from Councillor J Whitelegg on the grounds that Anchor Lane is an essential part of the historic city, crisscrossed by a network of streets and alleyways- public space should not be privatised in this way.

REPORT

This application has been brought before Committee at the request of Councillor Anne Chapman.

The Site and its Surroundings

The application site involves Anchor Lane within the pedestrianised City Centre. Anchor Lane is the thoroughfare which runs in a north-south direction and connects Market Square and Church Street. It is now a covered pedestrian route and provides the only public access to the Vue Cinema complex which, at the present time, is the only commercial premises within the lane.

The Proposal

The proposal is for the installation of glazed doors at each end of Anchor Lane. A similar proposal was granted planning permission in 2001 (Ref: 01/00114/FUL). However in order to implement this permission the applicant was required to seek a Stopping-Up Order via the Council's Legal Services.

The 2001 planning consent has now lapsed thereby requiring the resubmission of the previously approved proposal. The Stopping-Up Order cannot be finalised without a valid planning permission.

The glazed doors would be constructed at either end of Anchor Lane in order to prevent access when the cinema is closed. The current opening hours of the cinema are 0800-0000 Sunday to Thursday and Bank Holidays and 0800-0200 on Friday and Saturday. Therefore the doors would be closed for 8 hours Sunday-Thursday and Bank holidays, and for 6 hours on Friday and Saturday.

The doors to Church Street would be recessed so as not to affect the windows of neighbouring uses, and also to maintain emergency fire exits. The doors at the Market Square end will be flush with their current entrance point. Each door would have an automatic opening device for ease of access.

The doors will be constructed from aluminium and will be painted to match the surrounding sandstone. A condition will be imposed regarding their final treatment.

Planning Policy

Central Government guidance in relation to town centre developments is laid down in Planning Policy Guidance Note 6 - Town Centres and Retail Development. This guidance note acknowledges the importance of the perception of safety within town centres, and confirms that occurrence of crime is an important factor in a centre's vitality.

At the local level the Lancaster District Local Plan Supplementary Planning Guidance Note 6 - "Lancaster City Centre Strategy" (2002) refers to the issue of accessibility as being key, and highlights an objective to make the City Centre accessible to all whilst maintaining the historic character of the area. Community safety is also raised as a key issue and the guidance states that the Council will look at how pedestrian areas and open spaces can be altered to discourage anti-social behaviour.

Analysis of the proposal

The installation of glazed doors will increase night time security of Anchor Lane and reduce the opportunity for incidences of crime and vandalism in the area. No objections have been raised by statutory consultees and the design of the doors is considered aesthetically pleasing.

There is the issue of ensuring access is maintained between two important parts of the City Centre. It is true in order to implement this permission the applicant is required to seek a Stopping-Up Order to extinguish the public right of way (via the Council's Legal Service), and that for early morning periods this access will consequently not be available. However, given that Anchor Lane is rather daunting at those periods when the cinema is closed, and that a previous planning application has already been approved in respect of this proposal, the principle of development is accepted.

It is also recognised that whilst the cinema development has introduced a good, active use in the heart of the city, there have been maintenance and appearance issues to the Church Street elevation. The installation of high-quality doors is anticipated to assist in resolving this issue.

The Stopping-Up Order is not a piece of legislation which is enforceable by the local planning authority, but is a separate Order. An Advice Note attached to the previous 2001 planning consent read:

"The grant of planning permission does not entitle the applicant to obstruct the existing highway along Anchor Lane and before this permission can be implemented a Stopping Up Order under the Town and County Planning Act will be required.. The applicant is advised to contact the Council's Legal Services in this respect".

Once the doors have been installed, the necessary procedure for a Stopping-Up Order can be followed.

Besides the planning conditions listed below, it will be necessary to include the above Advice Note on any grant of planning permission.

Conclusion

The proposal is considered acceptable in terms of visual appearance and has the potential to limit the incidences of anti-social behaviour in the immediate locality. Public access between Market Square and Church Street will be unaffected during normal business hours.

It is on this basis that Members are advised that this proposal is recommended for approval.

RECOMMENDATIONS

That **PLANNING PERMISSION BE GRANTED** subject to the following conditions:

1. Standard time limit
2. Development according to approved plans
3. Precise details of door materials, glazing, colours and finishes to be submitted and agreed
4. Doors to remain unlocked (i.e. Anchor Lane remains accessible) during 0800-0000 Sunday to Thursday and Bank Holidays, and 08:00-02:00 on Friday and Saturday.