

Agenda Item A12	Committee Date 20 April 2009	Application Number 09/00231/DPA
Application Site Former Bubbles site, Marine Road Central, Morecambe		Proposal Renewal of temporary change of use of land for siting of fairground from 1 May to 31 October 2009
Name of Applicant Lancaster City Council		Name of Agent Ann Wood - Property Services
Decision Target Date 21 April 2009		Reason For Delay None
Case Officer		Peter Rivet
Departure		No
Summary of Recommendation		Limited period consent

1.0 The Site and its Surroundings

1.1 The site of this application is the seaward side of Morecambe Promenade, immediately to the north east of the Midland Hotel.

2.0 The Proposal

2.1 This is the latest in a series of applications for temporary consent for the use of part of the land as a fairground. The last one, 08/00261/DPA, expired in October 2008.

3.0 Site History

The site was formerly part of the "Bubbles" complex. Summer use of the site as a fairground started in 2002, when the first of the series of limited period planning permissions was granted.

Application Number	Proposal	Decision
02/00135/DPA	Change of use to fairground/amusement park	Limited period consent
03/00297/DPA	Renewal of consent for fairground/amusement park	Limited period consent
04/00422/DPA	Renewal of consent for fairground/amusement park	Limited period consent
05/00066/DPA	Renewal of consent for fairground/amusement park	Limited period consent
06/00295/DPA	Renewal of consent for fairground/amusement park	Limited period consent
07/00233/DPA	Renewal of consent for fairground/amusement park	Limited period consent
08/00261/DPA	Renewal of consent for fairground/amusement park	Limited period consent

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Statutory Consultee	Response
County Highways	No objections
Environmental Health	No objections
Lancashire Fire and Rescue	No objections

5.0 Neighbour Representations

5.1 None, at the time this report was prepared.

6.0 Principal Development Plan Policies

6.1 The site is within the Morecambe Conservation Area. "Saved" Policy E35 of the Lancaster District Local Plan states that development which would adversely affect important views into and across a Conservation Area will not be permitted.

7.0 Comment and Analysis

7.1 The current proposal is for the use of land rather than building work but the policy guidelines remain relevant. In the long term a more permanent form of development is called for but a further limited period consent for a fairground will not prejudice this. The reopening of the Midland Hotel has increased the likelihood of this happening.

7.2 The Environmental Health Service has expressed concern in the past about possible noise nuisance. This is a matter dealt with by the Control of Pollution Act and the use does not appear to have given rise to any recent complaints. As with previous consents, it is recommended that an appropriate advice note should be attached to the consent.

8.0 Conclusions

8.1 Central government advice discourages granting a series of limited period planning permissions, on the basis that if an experience shows that a use is acceptable, there are no grounds for refusing a permanent consent. However this is a case where it is important to keep open the option of a more permanent form of development. In the circumstances a further temporary permission is appropriate.

Recommendation

That planning permission **BE GRANTED** subject to the following condition:

1 Temporary consent - to expire 31 October 2009.

Human Rights Act

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

Background Papers

None.