

Agenda Item A16	Committee Date 8 June 2009	Application Number 09/00306/CU
Application Site Lancaster & Morecambe College, Morecambe Road, Lancaster	Proposal Change of use of car park to mixed use of car parking and car boot sales area	
Name of Applicant Lancaster & Morecambe College Morecambe Road, Lancaster LA1 2TY	Name of Agent	
Decision Target Date 18 June 2009	Reason For Delay Not applicable	
Case Officer	Peter Rivet	
Departure	No	
Summary of Recommendation	Approval	

1.0 The Site and its Surroundings

1.1 This proposal involves areas used for car parking within the grounds of the college, on the boundary between Lancaster and Morecambe.

2.0 The Proposal

2.1 The applicants wish to use the site for car boot sales, which they expect to take place on a maximum of 14 days per year. A letter states that they have been held on the college site in the past and have been very popular with the local community. Until recently the college authorities were unaware that planning permission was needed.

3.0 Site History

3.1 The car park has been used without planning permission for car boot sales in the past. They ceased following an enforcement complaint.

4.0 Consultation Responses

4.1 The following responses have been received from statutory consultees:

Consultees	Response
County Council highways	No highway observations on the proposal.
Environmental Health	No objections.
Police	Observations awaited.

5.0 Neighbour Representations

5.1 None had been received at the time this report was prepared.

6.0 Principal Development Plan Policies

6.1 The Lancaster District Local Plan contains no specific guidance on car boot sales. The Core Strategy emphasises in policy ER4 the importance of establishing a retail hierarchy in order to protect the vitality and viability of the District's town centres. This is consistent with the policy of urban concentration as the means of accommodating additional development within the area.

7.0 Comment and Analysis

7.1 The Town & Country Planning (General Permitted Development) Order 1995 allows a variety of temporary uses without planning permission on open land, including a market for up to 14 days in a calendar year, but this does not extend to land within the curtilage of a building. The College car parks clearly come within this category.

7.2 Access to the car parks is available from both the Morecambe Road and Torrisholme Road sides of the site. There is no charge for their use. A midweek site visit indicated that during the week, they on the site are fully used, and some unofficial parking takes place on grass verges. However they are largely empty at weekends which is when it is intended that sales will take place.

7.3 It is very common for educational establishments to host occasional events of this kind as fund raisers. It is difficult to see an operation of the scale envisaged affecting the "vitality and viability" of the town centres of Lancaster and Morecambe.

8.0 Conclusions

8.1 It is recommended that permission should be granted, subject to a condition limiting the number of events to 14 per year which is the maximum the applicants wish to hold.

Recommendation

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard three year condition.
2. Car boot sales to take place on no more than 14 days of each year.

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.