

Agenda Item A10	Committee Date 27 July 2009	Application Number 09/00627/CU
Application Site 14 Gage Street Lancaster Lancashire LA1 1UH	Proposal Change of use from retail shop (A1) to lettings office (A2)	
Name of Applicant Miss Charlotte Horn	Name of Agent	
Decision Target Date 19 August 2009	Reason For Delay None.	
Case Officer	Petra Williams	
Departure	No	
Summary of Recommendation	Approve subject to comments received following expiration of the site notice on 29 th July 2009	

1.0 The Site and its Surroundings

- 1.1 The application relates to a currently vacant shop unit in Gage Street which is within a row of properties that is designated as Other Key Frontage close to Dalton Square. The property is situated in a peripheral location to the main shopping centre and is within the City Conservation Area. There are a mixture of uses on Gage Street ranging from retail (Class A1), solicitors and bookmakers (Class A2) and cafés (Class A3),
- 1.2 The street is used largely as a thoroughfare for pedestrians to and from the main shopping area to the west and car parks to the east of the city centre.

2.0 The Proposal

- 2.1 The applicant proposes a change of use from retail shop (A1) to a letting agency (A2) with opening hours of 9am to 5:30pm.

3.0 Site History

- 3.1 The shop unit has been in the ownership of the current landlord since May 2009 and was vacant for a considerable period prior to that. The landlord has stated that the only serious interest that has been shown in the property is by the current applicant requiring an A2 use.

4.0 Consultation Responses

4.1 The County Highways Department have been consulted. No response has yet been received, and any comments will be verbally reported to committee.

5.0 Neighbour Representations

5.1 None received to date.

6.0 Principal Development Plan Policies

6.1 Saved Policy S5 of the Lancaster District Local Plan states that within designated 'Other Key Frontages' the change of use of ground floor premises to A2 (financial and professional) uses will only be permitted where; an adjoining building is in A1 use **and** the proportion of any continuous retail frontage length in A2 use would not exceed 20%.

7.0 Comment and Analysis

7.1 A2 uses are a major element of Lancaster's economy and can contribute to the diversity of uses within the centre and there is a concentration of office uses in the Dalton Square area. The proposal would meet the requirements of saved Policy S5 in so far as there is an A1 use in the adjoining building. However an A2 use at 14 Gage Street would mean that the proportion of this use class within this frontage would be 38% and would therefore not wholly accord with Policy.

8.0 Conclusions

8.1 The proposal does not accord with the currently adopted policy S5 to protect A1 retail Frontage in these difficult economic times. It is important that the Council is seen to operate Flexibly and that every encouragement is given to commercial enterprise. On balance it is not considered that permitting an A2 use in this peripheral location would undermine the council's aims of encouraging diversity and vitality in the town centre.

Recommendation

That subject to a final decision being delegated to the Head of Planning Services (for consideration of any comments received in response to the expiry of the site notice on 29 July 2009), planning permission **BE GRANTED** subject to the following conditions:

1. Standard time limit
2. Use as approved plans

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.