

Agenda Item	A11
Application Number	23/00239/FUL
Proposal	Retrospective application for the siting of a retail pod in car park
Application site	Lancaster City FC Giant Axe Field West Road Lancaster
Applicant	Mr Andrew Baker
Agent	N/A
Case Officer	Mrs Kim Ireland
Departure	No
Summary of Recommendation	Approval, subject to conditions

(i) **Procedural Matters**

This form of development would normally be determined under the Council's Scheme of Delegation. However, the site is in the ownership of Lancaster City Council and as such the application is referred to the Planning Regulatory Committee.

1.0 Application Site and Setting

1.1 The site which forms the subject of this application is at Giant Axe Playing Field, which is used by Lancaster City Football Club and as a public recreation ground. The site is located to the west of Lancaster Railway Station.

1.2 Under the Strategic Policies and Land Allocations DPD the site is designated as Open Space (Policy SC3) and the Giant Axe Field to the east of the site is designated as a Local Green Space (SC2).

2.0 Proposal

2.1 The retrospective retail pod is sited to the south of the football pitch within the car parking area. The retrospective retail pod is required to provide a revenue for the Football Club, whilst utilising a small area of the existing car park that is only used on match days and on training days.

2.2 The retail pod measures 4.8m in length, 3.2m in width and 2.8m in height and will be finished in white metal with numerous stickers and signage. The signage is to be determined through application 23/00240/ADV that is also to be presented to the Planning Regulatory Committee.

2.3 The retail pod was sited within the car parking of Lancaster Football Club on 15th September 2022 and therefore the LPA has considered the works as retrospective.

3.0 Site History

3.1 A number of relevant applications relating to this site have previously been received by the Local Planning Authority. These include:

Application Number	Proposal	Decision
15/00245/FUL	Retrospective application for demolition of lean-to extension and erection of a single storey rear extension to Pavilion	Approved
21/00498/FUL	Installation of a water supply pipe	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and internal consultees:

Consultee	Response
Lancaster City Property Services	At the time of compiling this report, no comments received.
Lancashire County Highways	No Objection , the proposal should have a negligible impact on highway safety and highway capacity within the immediate vicinity of the site and have recommended the following condition: <ul style="list-style-type: none">The works to the West Road entrance require the applicant to apply for section 278 works with Lancashire County Council.
Lancaster Civic Society	Objection , the Giant Axe Field has been traditionally set aside for sporting activities and the encroachment into this for commercial usages should be resisted. Retrospective works should be discouraged for future references. The presentation of the application is designed to be misleading.

4.2 At the time of compiling this report, no neighbour representatives have been received.

5.0 Analysis

5.1 The key considerations in the assessment of this application are:

- Principle of Development
- Design
- Highways and Parking
- Residential Amenity

5.2 Principle of Development (NPPF Section 2, Policy SP1 of the Strategic Policies and Land Allocations DPD and Policy DM15 of the Development Management DPD)

5.2.1 The retrospective works relate to the siting of a retail pod to the south of the existing football pitch for Lancaster FC and within the existing car park. The pod is used by the company webuyanycar.com; customer quotations are obtained online for the sale of their car and if accepted, this location provides a convenient place for customers to drop off their cars once the company has bought them. No cars are sold from the site and all cars are taken off site and sold at auction. The pod provides a building that an employee can inspect the car and agreements to buy the car are signed. In addition to the retail pod there is space to the north of the car park that can accommodate up to ten cars to allow for the cars that are bought by the company to be stored on site until they are collected and taken off site, which is within a 72 hour period.

5.2.2 The retail pod occupies a small section of Lancaster FC car parking area and the nature of the business, in so far as the cars are only stored on site for a maximum of 72 hours, does

not alter the operational needs of Lancaster FC. The business is considered to be small and due to the ethos of the business to accept cars and fill in associated paperwork on site, the principle of the development in this location is considered to be acceptable.

5.2.3 Policy SC3 of the Strategic Policies and Land Allocations DPD (SPLA DPD) sets out land within the district that is collocated as open space, recreation and leisure use. The site is allocated as an open space due to the land being used as a football pitch by Lancaster Football Club. The policy states that existing open space and recreation facilities will be protected from inappropriate development that would result in the loss of playing pitches including playing fields.

5.2.4 The specific area of the site for the retrospective works is within the car parking area of the football club, therefore the works have not encroached or will result in the loss of football pitch and/ or its required facilities. Consequently, although the entire area is allocated as an open space, the proposal would not negatively impact upon the delivery and functionality of the site for recreational purposes to the extent that a conflict with policy and would be considered to be unacceptable. Consequently, the development is not considered to conflict with the requirements of policy SC3.

5.2.5 The LPA is aware that cars have been collected on match days and due to the site being used for football matches, that the transporter was unable to enter the site due to a full car park. To ensure that this does not happen again in the future, a condition can be provided to ensure that cars are not collected on match days or grass root fixtures. Again, with the provision of such a condition the proposal is considered to be acceptable in principle and not in conflict with the primary purpose of the recreational and leisure purpose.

5.3 Design (NPPF Section 12 Achieving well-designed places, 154 -155, Development Management (DM) DPD Policies DM29 Key Design Principles)

5.3.1 Policy DM29 of the DPD requires a good standard of design, requires proposals to demonstrate an understanding of the wider context so that they make a positive contribution to the local area. The existing car parking area has a tarmacked surface with numerous shipping containers and portable cabins within. To the south of the car parking area are two buildings that are used by the scouts, the nearest of which is finished in pebble dash with a galvanised roller shutter garage door. The retrospective building is of a scale that is in keeping with the existing buildings within site and in terms of design, the retail pod is in keeping with the context of the site and wider area. In this respect the development is considered acceptable in terms of design.

5.4 Highways and Parking (NPPF Section 12, policies DM62: Vehicle Parking Provision)

5.4.1 The retrospective retail pod is to be located within the existing informal car parking area for the football club and its size uses the equivalent of one car parking space. In accordance with Appendix E of the DPD, the retail pod should provide an additional one car parking space. Given the minimal amount of additional car parking spaces required for the development and due to the proposal not operating on days when the site is used for its primary purpose, it is not considered in this instance that the additional car parking space is required.

5.4.2 It is acknowledged that an additional 10 car parking spaces are required to store cars that are awaiting to be collected and taken off site. However, the car parking spaces are not marked within the site, there is no building that will occupy the spaces and collection of the cars from the site is frequent, therefore no additional car parking is required.

5.4.3 The existing access from West Road into the site is to be utilised. Swept path analysis has been provided to the LPA to show that a transporter can enter and exit the site in a forward gear to collect the cars. The swept path analysis does show that the west pavement to the entrance into the site is marginally clipped by the transporter and although the pavement is the same height as the road, it is not meant to bear the load of a heavy vehicle.

5.4.4 Lancashire County Highways have raised no objections to the works, requesting a

condition that 278 works will be required to reduce the width of the pavement to ensure that the transporter vehicle does not breach the pavement. As the works are retrospective, the works will be requested via condition to be applied for and carried out within 6 months of the date of the decision.

5.5 Residential Amenity (NPPF Section 12, policies DM29: Key Design Principles)

5.5.1 The retail pod is sited to the far north of the existing car parking and is sited 40m to the nearest residential property of 27 West Road. Given the retail pod is used by one person to fill in associated paperwork for the cars that are being sold, no concerns are raised regarding the impact of the use of the buildings to the amenity of the nearest residents. Similarly, the cars that are being dropped off by customers to the business is not considered to be any different to the remainder of the site which is used as a car park for the football club.

5.5.2 Hours of work have been included within the submission and although are not thought to be unreasonable, to ensure that the business does not work at unreasonable times of the day for example 24 hours of the day, a condition can be provided to ensure that the working hours as stated are adhered to.

6.0 Conclusion and Planning Balance

6.1 The development will provide revenue to Lancaster FC, whilst utilising a small area of the existing car park. Furthermore, the proposal also seeks to support local economic growth. The retail pod would not encroach or result in the loss of the existing football pitch and the recreational facilities. The scale and design of the retail pod is thought to be simple and is not out of character with the numerous shipping containers and portable buildings that are currently within the site. The retail pod will have a negligible impact upon the amenity of the nearest properties and, although one additional car parking space would ordinarily be required to comply with Appendix E of the DPD, the minimal amount of additional car parking required on this occasion is not considered necessary to make the proposal acceptable.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

Condition no.	Description	Type
1	278 works required within 6 months	Control
2	Hours of opening of the retail pod	Control
3	The collection of cars from the site shall not be collected on match days and/or grass root fixtures	Control

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

Lancaster City Council has made the decision in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The decision has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the officer report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

None