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| Agenda Item | A7 |
| Application Number | 25/00973/FUL |
| Proposal | Temporary change of use of vacant land to a car park with associated works |
| Application site | Canal Quarter Central Site Brewery Lane Lancaster Lancashire |
| Applicant | Russ Worthington, Lanmara Developments Ltd |
| Agent | Miss Rebecca Boston |
| Case Officer | Mrs Petra Williams |
| Departure | No |
| Summary of Recommendation | Subject to the approval of planning applications 25/00912/FUL and 25/00913/FUL, approve subject to conditions. |

(i) Procedural Matters

This form of development would normally be determined under the Council's Scheme of Delegation. However, the application has been called in by Councillor Izzy Metcalf-Riener to consider the boundary treatments and retention of stone walls and the impact of the parking spaces off Moor Lane on the setting of the conservation area and listed buildings. Additionally, given the proximity to the Dukes/Grand theatres this space should be giving focus on disabled spaces and secure cycle parking.

1.0 Application Site and Setting

- 1.1 The site that forms the subject of this application comprises two parcels of land to the east and west of Brewery Lane, which are also the subject of applications 25/00912/FUL and 25/00913/FUL for demolition of buildings on this agenda. The eastern part of the site fronts Edward Street and is bound by Lodge Street to the north and Moor Lane to the south. The western part of the site is bound by Lodge Street and St Leonards Gate to the north and east and Moor Lane to the south. The site is dissected by Brewery Lane.
- 1.2 The site is located within the Lancaster Conservation Area. There are also several Grade II Listed buildings in proximity to the site, these are: the Grand Theatre, the former Tramway Hotel (127 St Leonard's Gate), 129 and 131 St Leonard's Gate, 11 Moor Lane, 17 and 19 Moor Lane, Duke's Playhouse, and the Mitchell's Brewery/ Malthouse at the former Mitchell's Brewery complex in the east of the site. There are number of Non-Designated Heritage Assets in the vicinity of the site including Nos. 3 and 5 Edward Street, Moor Space and the Golden Lion as well as the remaining buildings along St Leonards Gate, Stonewell and Moor Lane.

- 1.3 The site falls within the Central Lancaster Regeneration Priority Area (as identified by policy EC5) and within the Lancaster Canal Quarter designation (as identified by policy SG5) and is within the associated Masterplan and Supplementary Planning Document boundary.
- 1.4 Within the Strategic Flood Risk Assessment and the Environment Agency flood maps for planning, the site is identified as being at medium-high and high risk of groundwater flooding with parts of the site also identified at medium and high risk of surface water flooding. Lancaster Canal Biological Heritage site lies approximately 60 metres to the west of the site at its closest point. Lancaster Canal is also identified as an environmentally important area under policy EN7 and a Strategic Green and Blue Corridor under policy SC4.

2.0 Proposal

- 2.1 Should planning applications 25/00912/FUL and 25/00913/FUL be approved by the Planning Regulatory Committee, this application seeks planning permission for the use of the land as a temporary (2 years) car park with associated works. The car park will accommodate 158 spaces and will be finished in a combination of existing floor slabs/concrete and crushed building materials graded to 40mm to dust. The submission sets out that this interim use will ensure the land remains safe, secure, and active while the applicant develops and consults on its comprehensive masterplan proposals for the wider site.
- 2.2 The car park will occupy areas either side of Brewery Lane. For the eastern car park, a new access will be constructed from Edward Street to standardised dimensions with a dropped kerb crossing point and tactile paving. This car park will also benefit from an additional entrance/exit from Moor Lane. Segregated pedestrian access routes will be formed within the parking area with dropped kerb access points. For the western car park, the existing access from St Leonard's Gate will be reconstructed to standardised dimensions with a dropped kerb crossing point and tactile paving, positioned to maximise visibility.

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 |
|--------------------|---|--------------------------------------|
| 25/00913/FUL | Relevant demolition of existing buildings and associated vegetation clearance | Pending consideration |
| 25/00912/FUL | Part retrospective application for relevant demolition of existing buildings and associated vegetation clearance (Land west of Brewery Lane) | Pending consideration |
| 19/00740/FUL | Temporary change of use of warehouse (B8) to community events venue (A3/A4/D1/D2/sui generis) for 5 years, the installation of enlarged door openings to the front and side and a new door opening to the front (Building A, Kanteena) | Permitted (5-year temporary consent) |
| 08/00866/OUT | Comprehensive redevelopment comprising a retail led mixed used scheme to include demolition of existing buildings and associated structures, the demolition of all residential dwellings, the closure and alteration of highways, engineering works and construction of new buildings and structures to provide, retail, restaurants, cafes, offices, workshop, rehearsal space and residential accommodation, together with ancillary and associated development including new pedestrian link bridge and entranced pedestrian routes and open spaces, car parking and vehicular access and servicing facilities | Refused following Call In by SoS |
| 07/00602/OUT | Outline application for the redevelopment of the site to provide a building for retail at ground floor level with | Permitted |

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| | offices above and associated car parking (at Land East Of Golden Lion) | |
| Other recent applications within the Canal Quarter area | | |
| 25/00615/FUL | Erection of 39 residential units comprising of four dwellinghouses, two 4-storey apartment blocks and one 2-storey apartment block with associated parking, landscaping, public realm, associated infrastructure and alterations to canal wall. | Permitted |
| 25/00123/FUL | Change of use of land (formerly in use by Lancaster Homeless Action) to extend existing Edward Street public car park | Permitted |
| 24/00531/FUL | Relevant demolition of existing outbuildings, removal of existing stone walls and the temporary installation of boundary hoarding | Permitted |
| 24/00555/FUL | Relevant demolition of the Homeless Action Centre | Permitted |

4.0 Consultation Responses

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

| Consultee | Response |
|------------------------------|---|
| Regeneration Service Manager | No objections - In the context of regeneration ambitions it is considered this is a reasoned and justified application for temporary parking provision which complements the city council's strategic parking goals in the short to medium term. |
| Conservation | No comments received |
| County Archaeology | Comments submitted appear to relate to application 25/00913/FUL. Further clarification is sought. |
| Engineers | No objections subject to condition relating to surface water drainage. |
| Historic England | No comments received |
| Heritage Action Zone | No comments received |
| Lancaster Civic Vision | No comments received |
| Lancaster Bid | No comments received |
| County Highways | No objections subject to appropriate conditions |

4.2 No responses have been received from members of the public.

5.0 Analysis

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

- Principle
- Highways
- Design and Heritage Impacts
- Flood Risk and Drainage

5.2 **Principle** NPPF Chapter 2 (Achieving Sustainable Development), Chapter 7 (Ensuring the vitality of town centres) and Chapter 11 (Making Effective Use of Land); Strategic Policies and Land Allocations (SPLA) DPD policies SP1 (Presumption in Favour of Sustainable Development), SG5 (Canal Quarter, Central Lancaster); EC5 (Regeneration Priority Areas); Canal Quarter Supplementary Planning Document; Canal Quarter Masterplan and Lancaster City Centre Parking Strategy 2025–2028

5.2.1 The application site sits within the Canal Quarter regeneration area, which is a partially derelict and underused 16 hectare site. The Council's objectives for redevelopment of this area with a more diverse mix of uses, including further housing and business opportunities are set out within the Canal

Quarter Masterplan and the Canal Quarter SPD (CQ SPD). These documents set out a bold and imaginative vision for transforming the area into vibrant cultural hubs that celebrate Lancaster's heritage while encouraging contemporary urban life. The area is central to the regeneration strategy and seen as a catalyst for cultural enrichment, community engagement and economic vitality. This area of the Canal Quarter is seen as pivotal to the success of the entire regeneration effort. Councillors will be aware of the long term aims and ambitions for the Canal Quarter area which stretch back approximately two decades.

- 5.2.2 The Lancaster City Centre Parking Strategy 2025–2028 (the Parking Strategy) sets out how Lancaster City Council will manage its own car parking assets to support a growing and evolving Lancaster city centre, while delivering against its broader Climate Emergency commitments and regeneration goals. The Parking Strategy aims to provide a clear and confident message to residents, businesses, and visitors that sufficient parking will be maintained, as the council takes steps to promote both regeneration and more sustainable forms of transport. The Parking Strategy does not view parking in isolation. It recognises that parking provision must complement efforts to reduce congestion, support the transition to active and low carbon travel, but also maintain as accessible, attractive, and economically resilient city centre.
- 5.2.3 Over the 3-year Parking Strategy period and beyond the city council will seek to maintain its public parking portfolio at around 1,400 to 1,500 off-street spaces, ensuring that at times of high demand - such as during school holidays, festivals, and the Christmas season – a range of parking options are available. This will be balanced with the planned release of some surface car parks for housing, particularly in the Canal Quarter regeneration area, a long-term city priority. It is noted that planning permission was recently granted for the erection of 39 residential units on the site of Nelson Street car park in the south of the Canal Quarter area. Historically, the city council's approach to parking was focused on maintenance, enforcement, and income generation. Today, the Strategy is being repositioned as a broader policy tool - one that influences transport behaviour, air quality, urban form, and social equity. Over time, the goal is to reduce reliance on private cars - not simply to accommodate all growth in potential demand. This marks a transition from:
- reacting to demand to shaping demand.
 - static provision to active integration with public transport, cycling, walking, and land use planning.
 - a standalone operational function to a core pillar of place-making and sustainability.
- 5.2.4 Car parking remains important in this transition, particularly to ensure access for those who need it and to help the city compete with out-of-town destinations. But continuing to meet all projected demand risks reinforcing car dependency and undermining goals to reduce emissions and support active and public transport. The focus of the Parking Strategy is on the Council's own portfolio of general use car parking spaces. The focus was chosen because the council is by far the largest provider of general use spaces in the city centre. As noted in the planning application Transport Statement while there are several privately owned car parks in the city centre that provide circa 480 parking spaces, 441 of these car parking spaces are for use by customers only, such as Sainsbury's, Kingsway Retail Park and Aldi, and are subject to short stay controls and significant time restrictions. New general use provision by private providers, either permanent or temporary, has not been a major factor for consideration in the recent past although the current application is substantial enough to warrant assessment in the context of the Strategy as it is proposed to utilise the cleared plots following approval of 25/00912/FUL and 25/00913/FUL as surface car parking to provide 158 temporary parking spaces.
- 5.2.5 The council's provision is in transition given the future temporary and permanent parking provision plans outlined in the Parking Strategy. The provision of 158 temporary off street spaces alongside the Council's own provision could be regarded as high in strategic terms and impact on wider traffic management goals. However, the application provides welcome balancing provision over the Parking Strategy short to medium period 2025 -2028. Future parking provision within the city council's proposed interventions are still estimates and this new (albeit temporary offer) gives more strategic comfort that there will be sufficient spaces to manage general demand. It also points to a future Parking Strategy iteration needing to account for any potential for future permanent private sector provision to contribute to the overall long-term strategic city centre parking offer and balancing this with wider goals to reduce emissions and support active and public transport.

- 5.2.6 As highlighted in paragraphs 1.1 and 2.1 of this report, this application's relationship with applications 25/00912/FUL and 25/00913/FUL for relevant demolition of existing buildings is relevant to this proposal. It is noted that Building A proposed for demolition under application 25/00913/FUL does not form part of the car parking proposal.
- 5.2.7 It is concluded that the proposed temporary use of the site for car parking would not undermine the aims and aspirations of the wider strategic site. The proposal is limited to the change of use of the land and is easily reversible. The proposal would provide an addition to the Council's existing parking stock which currently aligns with the Council's Car Parking Strategy and will also provide additional mitigation ahead of the release of Nelson Street car park or indeed other parts of the Canal Quarter allocation for development proposals. Given the temporary nature of the proposal, it is also considered not to compromise the wider ambitions for regeneration of the area.
- 5.3 **Highways** NPPF section: 9 (Promoting Sustainable Transport); Development Management (DM) DPD policies DM29 (Key Design Principles); DM60 (Enhancing Accessibility and Transport Linkages) and DM62 Vehicle Parking Provision.
- 5.3.1 Policy DM29 states that the Council will expect development to *"Incorporate suitable and safe access to the existing highway network"* and *"Ensure that highway safety and efficiency is maintained or improved"*. The site layout plan indicates 65 spaces will be created within the eastern part of the site with exit/entrances created of both Edward Street and Moor Lane with dropped kerb crossing points and tactile paving. This site will include six disability parking spaces. The western part of the site will provide 93 parking spaces and will utilise an existing site exit/entrance. This site will also include six disability parking spaces.
- 5.3.2 The County Highway consultee has considered the application and confirm there are no highway safety concerns and raise no objection to the proposal. This is subject to conditions relating to the submission of a Construction Management Plan (CMP), implementation of visibility splays and access surface materials. A condition will also be included for the submission of details regard secure cycle storage provision within the site. It is considered that the proposal would not have a detrimental impact on highway safety and would accord with the requirements of policy DM60 and section 9 of the NPPF.
- 5.4 **Design and Heritage Impacts** NPPF Chapter 12 (Achieving well-designed and beautiful places) and Chapter 16 (Conserving and enhancing the historic environment); Strategic Policies and Land Allocations (SPLA) DPD policy: SP7 (Maintaining Lancaster District's Unique Heritage); Development Management (DM) DPD policies: DM29 (Key Design Principles), DM38 (Development affecting Conservation Areas) and DM39 (The Setting of Designated Heritage Assets)
- 5.4.1 In accordance with the Listed Building and Conservation Areas Act, when considering any application that affects a Listed building, a Conservation Area or their setting, the local planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the heritage asset or its setting.
- 5.4.2 Both national and local policy are clear insomuch that any harm to the significance of the setting of a listed building or Conservation Area must be clearly justified and needs to be outweighed by the public benefits of the proposal. If no harm has been identified, this test is not engaged. This is reiterated in policy DM38, which states that development in Conservation Areas should preserve or enhance the character and appearance of the area and policy DM39 has regard to the setting of designated heritage assets which includes listed buildings.
- 5.4.3 The submitted Heritage Statement has been prepared on the basis of a cleared site, in anticipation of the demolitions proposed under applications 25/00912/FUL and 25/00913/FUL. The Officer's reports for these other planning applications conclude that the proposed demolitions would give rise to less than substantial harm to the character and appearance of the Conservation Area and to the setting of the listed buildings. This harm has been addressed as part of those other planning applications.
- 5.4.4 The provision of parked vehicles will add an element of visual clutter to the streetscene with regard to the eastern car park area, but this will be viewed in the context of the larger car park areas to the east and north of the site. The car park area within the western part of the site will largely be

screened from wider views by the presence of the built form which surrounds the site. Nevertheless, a cleared site in this location would not contribute to the significance of the Conservation Area or the setting of the listed buildings in the long term, and neither would the use of the cleared sites as car parks. As such it is considered that the proposal would result in some harm to the Conservation Area and setting of the listed buildings. This harm would be at a lower level of less than substantial harm as the cleared site would equally not contribute positively to the setting of heritage assets. However, this is a temporary proposal and would be reversible.

5.4.5 The use of the site for car parking on a medium to long term basis would not be appropriate on heritage grounds. However, it is considered that on a 2-year temporary basis the scheme could provide some limited public benefit as the proposed use would provide some increased activity in advance of proposals for a comprehensive future masterplan. To a lesser degree, it also supplements mitigation in association with the loss of Nelson Street car park for residential development, which forms the first phase of regeneration for the area. Precise details of site surfacing and boundaries will be conditioned to ensure such details are sympathetic in form and appearance.

5.5 **Flood Risk and Drainage** NPPF Chapter 14 (Meeting the challenge of climate change, flooding and coastal change); Strategic Policies and Land Allocations (SPLA) DPD policy SP8 (Protecting the Natural Environment) and SG5 (Canal Quarter, Central Lancaster); Development Management (DM) DPD policies DM33 (Development and Flood Risk), DM34 (Surface Water Run-off and Sustainable Drainage) and DM36 (Protecting Water Resources and Infrastructure).

5.5.1 The site falls within areas identified as being as medium-high and high risk of groundwater flooding and parts of the site are also identified as being at low, medium and high risk of surface water flooding. The submitted Flood Risk Assessment acknowledges that site runoff and overland flow will be generated by the car park development. The Council's Drainage Engineer has reviewed the information provided in support of the application and has raised no objections subject to conditions relating to the submission of a final surface water drainage scheme in addition to an associated management and maintenance scheme. These conditions are considered necessary and reasonable given the scale and nature of development and are included in the recommendation.

6.0 **Conclusion and Planning Balance**

6.1 The proposal will provide temporary public car parking spaces without compromising on the deliverability of the wider regeneration of the Lancaster Canal Quarter site and will also supplement mitigation ahead of the residential development on the Nelson Street car park. Subject to conditions, the proposal is acceptable from a highway safety and flood risk and drainage perspective. The application would result in a low level of less than substantial harm to the significance of heritage assets in terms of setting. However, the proposal would activate a cleared site and is temporary and reversible. Overall, the scheme is considered to comply with the development plan when read as a whole and therefore is recommended for approval.

Recommendation

That Planning Permission BE GRANTED subject to the following conditions:

| Condition no. | Description | Type |
|---------------|---|-----------------------|
| 1 | Timescale – temporary use 2 years | Control |
| 2 | Approved plans | Control |
| 3 | Submission of Final Surface Water Drainage Scheme including Management and Maintenance Plan | Prior to commencement |
| 4 | Submission of Construction Management Plan | Prior to commencement |
| 5 | Details of site boundaries and car park surface treatment | Prior to commencement |
| 6 | Precise details of the of access/egress points including surfacing and visibility splays | Prior to commencement |

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| 7 | All highway works associated with the access/egress points to be constructed prior to first use. | Prior to first use |
| 8 | Submission of details for the provision of secure cycle storage provision within the site | Prior to first use |
| 9 | Protection of Visibility splays | Control |

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

Lancaster City Council has made the recommendation 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 recommendation 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