

Item 3 **10/00255/FUL**

Case Officer **Mr David Stirzaker**

Ward **Chorley North West**

Proposal **Change of use of first and second floor of gymnasium to 4 no. one bedroom residential units with access from existing side door and internal alterations to existing gymnasium**

Location **1-3 Park Road Chorley Lancashire PR7 1QS**

Applicant **Mr Shaun Ginger**

Consultation expiry: 12 May 2010

Application expiry: 1 June 2010

Proposal

1. This application seeks planning permission for the conversion of the first and second floors of a gymnasium (Astley Fitness Centre) to 4 no. 1 bedroom apartments. The site is in the centre of Chorley and is also in a Conservation Area and Office Zone designation (Policy EM6 of the Local Plan Review). An existing flat at ground floor level is also being changed to a studio gym and there are minor layout changes to the layout of the basement.

2. The only external changes proposed are the insertion of 2 windows in the west elevation of the building at first and second floor level to serve bedrooms.

3. The first floor is presently used as female changing rooms, showers, wc, salon, sunbeds and a staff room. The second floor is used as a dance/aerobics hall and store. In 2007, planning permission was granted (Ref No. 07/01045/FUL) for the erection of a 3 storey extension to the existing building to house a gym at ground level and 4 no. 1 bedroom flats on the first and second floors. This extension has not yet been constructed but the overall design and layout of the property as proposed means the two would have to be constructed in tandem as access to the latest apartments proposed is through the 3 storey extension.

Recommendation

4. It is recommended that this application is granted planning permission.

Main Issues

5. The main issues for consideration in respect of this planning application are:
- Principle of the development
 - Design and Appearance;
 - Impact on the character and appearance of the locality/Conservation area;
 - The amenities of neighbours;
 - Highway safety and parking provision
 - Other matters

Representations

6. A letters of objection has been received from 1 local resident, the contents of which can be summarized as follows: -
- Concerns are expressed in relation to the potential for traffic increasing on Queens Road
 - As the site is in a Conservation Area, any building work must not be offensive to the local area

Consultations

7. **Lancashire County Council (Highways)** raise no objections to the application.
8. The **Conservation Officer** does not raise any objections to the application.
9. **LCC (Archaeology)** do not raise any objections to the application.
10. **Planning Policy** section advise that residential is an appropriate town centre use and therefore no objections are raised to the apartments.

Assessment

Principle of the development

11. The site is in a part of the town centre covered by Policy No. EM6 of the Local Plan Review. This policy expresses a preference for office uses but also states that other appropriate town centre uses are acceptable. Apartments are considered to be an appropriate town centre land use hence the objectives of Policy EM6 are met. The 'principle' of the apartments is therefore considered to be acceptable.

Design & Appearance

12. As stated, the only changes to the property are the insertion of 2 windows in the west facing elevation of the property at first and second floor level. These windows are in a modern part of the building and will not have a significant impact on its character and appearance.

Impact on the character and appearance of the locality/Conservation Area

13. As per the Design & Appearance assessment above, the only changes to the property are the insertion of 2 windows in the west facing elevation of the property at first and second floor levels. These windows are in a modern part of the building and will not have a significant impact on its character and appearance nor that of the Conservation Area. The neighbour has commented that any building work should not be offensive to the local area. However, as stated, the only change is the insertion of 2 no. windows in the rear elevation of the building and this will not have a detrimental impact on the character and appearance of the locality and Conservation Area.

The amenities of neighbours

14. The proposed bedroom windows in the west facing elevation of the building at first and second floor level will face onto the yard area of 1-3 Queens Road which is wholly occupied by O'Riordan & Co Solicitors hence does not contain any residential elements. The next property along Queens Road is commercial and presently vacant (last used as a Plumbers Merchant).

15. The property opposite the side facing windows in the apartments is Applejax Nightclub so again, there are no window to window interface issues. With regards to the amenities of the occupiers of the apartments proposed, the same condition attached to the 2007 permission is recommended to ensure adequate levels of noise insulation between the apartments and gymnasium uses.

Highway safety & parking provision

16. No parking is proposed for the apartments but it should be noted that the site at present has very limited parking. Given the site is in the town centre close to the bus and train stations, the site is considered to be in a sustainable location with local transport links and indeed the amenities provided by the shops and services of the town centre within easy walking distance.

17. LCC (Highways) have considered the application and do not raise any objections to it hence it is considered that the sustainable location of the site means in this case, it is not necessary to require off street parking provision.

18. With regards to the comments made by the neighbour which raise concerns in relation to existing traffic levels and the potential for it to increase, these are noted. However, it is unlikely that there will be significant change in levels of traffic generated by the apartments in comparison to the present gym use of the first and second floors.

Other matters

19. With regards to bin storage, the plans show a bin storage area which is suitable to accommodate 2 no. 1100 litre bins and the Councils Waste Management & Contaminated Land Officer has confirmed this to be acceptable. This is in the extension permitted by 07/01045/FUL but this provides access to the proposed apartments so the extension would have to be constructed in tandem with the conversion of the first and second floors of the gymnasium. Nonetheless, for clarity, a condition is recommended requiring bin storage details to be submitted prior to the commencement of works along with management details.

Overall Conclusion

20. Taking into account all of the issues and the objections raised, it is considered that the change of use of the first and second floors of the property to 4 no. 1 bed apartments is an acceptable form of development.

Planning Policies

21. National Planning Policies:
PPS1, PPS3

22. Adopted Chorley Borough Local Plan Review
Policies: GN1 / GN5 / HS4 / HS6 / HS21 / EM6 / EP20 / HT7 / TR4 / Design
SPG

Planning History

23. The site has been the subject of the following planning applications: -

- 07/01045/FUL - Proposed three storey side extension to form an extension to existing gym at ground level and 4No 1 bed roomed flats on 2nd and 3rd floors (Permitted)
- 03/00450/FUL - Two storey side extension to Fitness Centre (Permitted)
- 97/00224/FUL - Second-floor rear extension to form gymnasium (Permitted)
- 96/00771/FUL - First floor rear extension to form gymnasium (Permitted)
- 96/00100/COU - Change of use of ground floor to gymnasium, with flats on first and second floor (Permitted)

Recommendation: Permit Full Planning Permission

Conditions

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before the works required for the conversion of the first and second floors of the gymnasium to apartments are first commenced, full details of a scheme of soundproofing between the proposed apartments and the gymnasium shall have been submitted to and approved in writing by the Local Planning Authority. All works which form part of the approved soundproofing scheme shall be completed before any flat is occupied or the extended gymnasium is first used.

Reason: In the interests of the amenity of future occupants of the proposed flats and occupants of adjoining property and in accordance with Policy No. EP20 of the Adopted Chorley Borough Local Plan Review.

3. Prior to the commencement of the development hereby permitted, a plan (notwithstanding the details shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority providing further details of the bin storage area. This shall be accompanied by a management plan detailing how the bin storage area will function and how collection days will be managed. The bin storage area shall be provided in accordance with the approved details prior to the first occupation of the apartments and shall be retained at all times thereafter.

Reason: To ensure a suitable bin storage area is provided and managed and in accordance with Policy No. HS4 of the Chorley Borough Local Plan Review.

Please Note: There are separate conditions attached to planning permission no. 07/01045/FUL for the 3 storey extension to the premises.

Please Note: The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

Collapse of shallow coal mine workings.

Collapse of, or risk of entry into, mine entries (shafts and adits).

Gas emissions from coal mines including methane and carbon dioxide.

Spontaneous combustion or ignition of coal, which may lead to underground heatings and production of carbon monoxide.

Transmission of gases into adjacent properties from underground sources through ground fractures.

Coal mining subsidence.

Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilization of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com