

Item 3g	14/01237/FUL
Case Officer	David Stirzaker
Ward	Chorley North West
Proposal	Proposed change of use of part of ground floor gymnasium to one bedroom apartment
Location	Astley Park Health And Fitness Club, 1 - 3 Park Road, Chorley, PR7 1QS
Applicant	Mr Shaun Ginger
Consultation expiry:	1st January 2015
Decision due by:	3rd February 2015

Recommendation

It is recommended that this application is approved subject to conditions.

Executive Summary

The main issues to consider are whether the proposed development is acceptable principle, the impact of the development on the locality, on the amenities of neighbours and highway safety. For the reasons set out below, it is considered that the change of use is consistent with the aims of the Framework and in accordance with the provisions of the development plan.

Representations

To date, 1 no. representation has been received:
Objection
Total No. received: 1
<ul style="list-style-type: none">• Objection based on rubbish bins associated with the existing flats being stored on Queens Road

Proposed development

1. This application seeks planning permission for the change of use of part of a gymnasium on the ground floor of Astley Park Health and Fitness Club which is located in the settlement of Chorley adjoining the town centre. The apartment proposed will have a frontage onto Queens Road from where it will be accessed. No changes are proposed to the exterior of the property.
2. The existing building contains a gymnasium and apartments over the first and second floors and has a frontage onto Queens Road, Park Road and Back Mount.

Assessment

3. The main issues are as follows:-
 - Issue 1* – *Principle of development*
 - Issue 2* – *Design & Scale*
 - Issue 3* – *Impact on neighbours*
 - Issue 4* - *Highways matters*
 - Issue 5* - *S106 & CIL*

Principle of development

4. The Inspector has issued her Partial Report on her findings into the soundness of the Chorley Local Plan, which is a material consideration in the consideration of any planning application.
5. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers.
6. Paragraph 18 of the Partial Report states: “For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.” The Council accepted the Inspectors modifications for Development Management purposes at its Executive Committee on 21st November 2013.
7. It is therefore considered that significant weight can be given to the policies and proposals of the emerging Local Plan, as amended by the main modifications. The application site is located in the core settlement area of Chorley. The emerging Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
8. The application site is just outside of the town centre and is in the main Chorley settlement as well as the St Laurence's Conservation Area. There are no policies in the emerging local plan which seek to protect private gym facilities so converting part of the gym to an apartment is considered to be acceptable 'in principle'.

Design & Scale

9. No external changes are proposed to the elevation facing Queens Road as a result of the formation of the apartment so the apartment will not result in any changes to the character and appearance of the Queens Road streetscene or the St Laurence's Conservation Area.

Impact on neighbours

10. The apartment will be formed by converting part of the existing ground floor gym. The residential use of this part of the building is therefore likely to generate less noise than the gym does and moreover, there are no residential properties directly bounding the part of the gym which is to be converted to a dwelling.

11. In terms of the amenities of the occupiers of the apartment, the main issue will be noise arising from the gym but this will be dealt with under the Building Regulations.

Highways matters

12. The proposal does not include a car parking space to serve the apartment. However, the site is just outside of the town centre boundary so is in a sustainable location with easy access to the main bus station and train station. There are also numerous car parks within a short walk of the site. LCC (Highways) have not raised any objections to the application on this basis.

S106 & CIL

13. The National Planning Practice Guidance was updated by Government on 28 November 2014 in respect of contributions for affordable housing and tariff style planning obligations. These measures were introduced to support small scale developers by reducing disproportionate burdens on developer contributions. The updated guidance confirms that such contributions should not be sought from small scale and self-build development. In particular, the guidance states that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m².
14. This development results in the creation of one additional dwelling, which is obviously below the 10 unit threshold and also has a combined gross floorspace of less than 1000m².
15. In the case of this development there is no evidence at this time, which is directly related to the development, to seek a contribution towards public open space contrary to the national guidance.
16. The proposed apartment does not attract a charge under the Council's CIL charging schedule.

Other Matters

17. With regards to the issue raised by a local resident about the bins being stored on Queens Road, the Council's Waste and Contaminated Land Officer advises that the bin storage area within the existing building is of a sufficient size to accommodate 2 no. 1100 litre bins and indeed these bins would be sufficient to also serve this apartment as well as the existing ones in the building. Ensuring the bins are stored in the bin storage area is not something that can be secured through this application but the applicant has been asked to look at providing a coded lock to improve its security and allow access for residents wishing to deposit waste in the bins. Any comments on this issue from the applicant will be reported in the addendum.

Planning Policies

18. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Overall Conclusion

19. The 'principle' of development is considered to be an acceptable one and given no changes are proposed to the exterior of the building, there are no objections to this element of the development. Also, it is not considered that the development would harm the living conditions of local residents and given the sustainable location of the site in the town centre, the lack of a car parking space is not an issue either.

Planning History

Reference	Description	Decision	Date
03/00450/FUL	Two storey side extension to Fitness Centre	Permitted	24.10.2003
07/01045/FUL	Proposed three storey side extension to form an extension to existing gym at ground level and 4No 1 bedroomed flats on 2nd and 3rd floors	Permitted	13.12.207
10/00255/FUL	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	Permitted	25.06.2010
13/00491/FUL	Section 73 application to vary condition no. 6 of planning permission no. 10/00255/FUL (which permitted the change of use of first and second floor of gymnasium to 4 no. one bedroom apartments) to enable 2 no. obscurely glazed windows to be fitted with top hung openers in the first and second floors of the west facing elevation	Refused	25.07.2013
14/00808/FUL	Application (under Section 73 of the Town and Country Planning Act 1990) for the variation of condition no. 6 (non-opening obscure glazed windows) to allow the obscurely glazed windows to have an opening set 1.7m above floor level of planning permission no. 10/00255/FUL	Pending Consideration	N/A

Suggested Conditions

No.	Condition									
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</i></p>									
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="368 562 1353 689"><thead><tr><th data-bbox="368 562 746 591">Title</th><th data-bbox="746 562 1066 591">Drawing Reference</th><th data-bbox="1066 562 1353 591">Received date</th></tr></thead><tbody><tr><td data-bbox="368 591 746 620">Location Plan</td><td data-bbox="746 591 1066 620">-----</td><td data-bbox="1066 591 1353 620">9th December 2014</td></tr><tr><td data-bbox="368 620 746 689">Existing and Proposed Floor Layouts</td><td data-bbox="746 620 1066 689">APF/PL/14/001</td><td data-bbox="1066 620 1353 689">27th November 2014</td></tr></tbody></table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Drawing Reference	Received date	Location Plan	-----	9 th December 2014	Existing and Proposed Floor Layouts	APF/PL/14/001	27 th November 2014
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