

Item B. 4 **07/00433/COU** **Permit (Subject to Legal Agreement)**

Case Officer **Mr David Stirzaker**

Ward **Lostock**

Proposal **Change of use of gymnasium to 2No apartments**

Location **Formerly Zodiac Gymnasium Station Road Croston**

Applicant **Mr Andrew Paul**

Proposal This application proposes the conversion of a former gymnasium (Zodiac Gym) to 2 no. apartments. The property is located on Station Road, Croston within the main village settlement area behind the Co-op and adjacent to the De Trafford Arms public house.

Planning Policy GN4 - Settlement Policy Other Rural Settlements
 HS4 - Design and Layout of Residential Developments
 HS21 - Playing Space Requirements
 TR4 - Highway Development Control Criteria
 Policy 7 - Joint Lancashire Structure Plan

Representations Two letters have been received from local residents. The contents of these letters, which raise objections, can be summarised as follows: -

- Parking on Station Road is at a premium
- There are concerns that potential owners/tenants vehicles will cause problems for residents accessing garages etc
- The access is also used on a daily basis by delivery lorries to the Co-op
- If emergency vehicles have access blocked by vehicles, there could be dramatic consequences
- The adjacent Co-op and Nursery have no interest in making the area a no parking zone hence this is not likely to change with the addition of further residences
- The proposal will create yet another accident hazard as there are already enough vehicles using Station Road
- There is also a bus stop directly outside the Co-op and the Post Office has recently moved into the Co-op hence more people or vehicles adding to the overburdened locality is not welcomed

Consultations The Director of Streetscene, Neighbourhoods and Environment raises no objections.

LCC (Highways) raise no objections to the application.

Assessment The main issues are as follows:

Character & appearance of locality/streetscene

The building as existing is relatively simple in character and has

little architectural merit. The changes to the building, mainly comprising of new window and door openings, will undoubtedly give the building a more residential character but this does not raise any issues given the context of the buildings location within the Croston village settlement. The application of new masonry paint will improve the tatty and unkempt appearance of the building hence on this basis, it is considered that the impact of the buildings conversion to 2 no. apartments will not harm the general character and appearance of the locality and streetscene thus according with Policy Nos. GN5 and HS4.

Highway safety

The application originally included the provision of 2 no. off street parking spaces on land currently used as outdoor space by the nursery, which the applicant owns. However, the applicant has had to reduce this to a single parking space due to the nursery having specific outdoor space requirements, which would otherwise have been prejudiced. LCC (Highways) have been re-notified of this change but considering the previous use as a gym, the village location and proximity to transport links (Croston Railway Station and the nearby bus stop), it is stated that there is not a valid objection to the provision of a single space for the development. These views are concurred with, as Croston Railway Station is only a short walk away whilst the bus stop is on Station Road adjacent to the access. Nonetheless, local residents and the Parish Council have been consulted again on this and any comments received will be reported in the addendum.

Regarding the use of the access, it needs to be borne in mind that the property has and still could be used as a gymnasium, which would generate significantly more traffic and parking problems than the 2 no. apartments proposed. The comments of residents have been duly noted but it is considered that refusal on these grounds would be difficult to substantiate and subsequently defend at appeal without the support of LCC (Highways). It is therefore considered that the proposal accords with the objectives of Policy No. TR4 of the Local Plan and Policy No. 7 of the Joint Lancashire Structure Plan.

Neighbour amenity

The first floor apartment does not contain any windows in the gable (west) elevation hence the amenities of the occupiers of 8A and 8B Langdale Avenue will not be prejudiced by virtue of overlooking. The kitchen window in the same elevation of the ground floor apartment looks onto the access but is not of sufficient height to enable views over the fence into the garden areas of these properties. There are no habitable room windows in the south elevation of the first floor apartment overlooking the nursery garden area.

The windows in the north elevation of the first floor apartment overlook the public house (De Trafford Arms) car park. There is also a first floor window facing the apartments approx. 17.2m away that is to a habitable room (lounge). Given this distance falls short of the requisite 21m, amended plans have been requested making the bedroom window high level and moving the kitchen window further west so there is not a direct window to window relationship that would cause harm to residential amenity. The relationship with

the other windows in the apartment is an offset one meaning there is not a direct window to window relationship. These amendments to the plans will result in an acceptable relationship and an update will be provided in the addendum. It is not considered that the movement of residents and the use of the parking space will cause detrimental noise and disturbance, especially in comparison to the previous use of the building as a gym. The proposal is therefore considered to accord with Policy No. HS4 of the Local Plan.

Other matters

Given the property is being converted to ground and first floor 2 no. bedroomed apartments, it is necessary for a S106 legal agreement to be entered into to secure the payment of a commuted sum of £2399 per apartment for the provision of off site play space.

Conclusion

On the basis of the above, it is recommended that planning permission be granted subject to the following conditions and the signing of a S106 agreement to secure a commuted sum in relation to the provision of off site play space.

Recommendation: Permit (Subject to Legal Agreement) 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 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials used to facilitate the conversion of the building to apartments (notwithstanding any details shown on the approved plans) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the Local Planning Authority, shall be inserted in the apartments hereby permitted.

Reason: To protect the amenities and privacy of the adjacent property and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

4. Before either of the apartments hereby permitted are first occupied, the car parking space shall be surfaced or paved with access made available thereto to enable its use in accordance with the approved plan. The car parking space shall not thereafter be used for any purpose other than the parking of a vehicle belonging to a resident of either of the apartments.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review and Policy No. 7 of the Joint Lancashire Structure Plan.
