

Reference: 15/00603/COU

Applicant: Mr R Kent

Location: Barlestone Methodist Church 16 Newbold Road Barlestone

Proposal: Change of use from church to gymnasium

RECOMMENDATION:- Grant subject to conditions.

Introduction:-

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it has attracted interest from occupiers of five or more addresses the views of which are contrary to the officer recommendation.

Application Proposal

This application seeks full planning permission for the change of use of Barlestone Methodist Church to a Gymnasium. The proposed change of use would involve changes to the external elevations of the existing building, such as the removal of the existing entrance porch and replacement with an oak framed canopy, alterations to the existing window layout including infilling of existing openings along the north west facing side elevation, which would include the introduction of recessed rendered panels, with brick heads and plinth brick cills. Existing windows situated along the south east facing side elevation would be rationalised and replaced with painted timber framed windows with brick heads and plinth brick cills. Rooflights would be introduced within the roof slopes to afford for light into the building. Internally the staggered flooring within the building would be levelled and a mezzanine introduced to provide two separate rooms, for use as a studio for 10 people and a cardio room, the ground floor would primarily be used for changing facilities and weights.

The site is accessed via the existing access off Newbold Road, which also serves neighbouring the neighbouring properties No.16A and 18 Newbold Road, Barlestone. The existing parking to the rear of the existing building would be utilised to serve the proposed gymnasium.

The site and Surrounding Area

The application site is within the Settlement of Barlestone and is situated centrally within the village. Barlestone Methodist Church is a freestanding building with a single storey addition to the rear, and currently stands vacant. The building is located approximately 120 metres south west of the junction of Newbold Road and Main Street. The immediate area predominately residential in character, comprising of modern and post war detached dwellings varying of design along Newbold Road.

The application property is tall single storey rendered building, accessed via a private driveway leading from Newbold Road and positioned between the application building and number 18 Newbold Road. The private drive serves the application and a further dwelling number 16a Newbold Road forming a parcel of back land development.

Relevant Planning History:-

87/00278/4	Car park to rear including vehicular access	Granted	28.04.87
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88/00761/4

New porch at front and rear extension comprising of kitchen and wc's also formation of cloakroom for church use

Granted

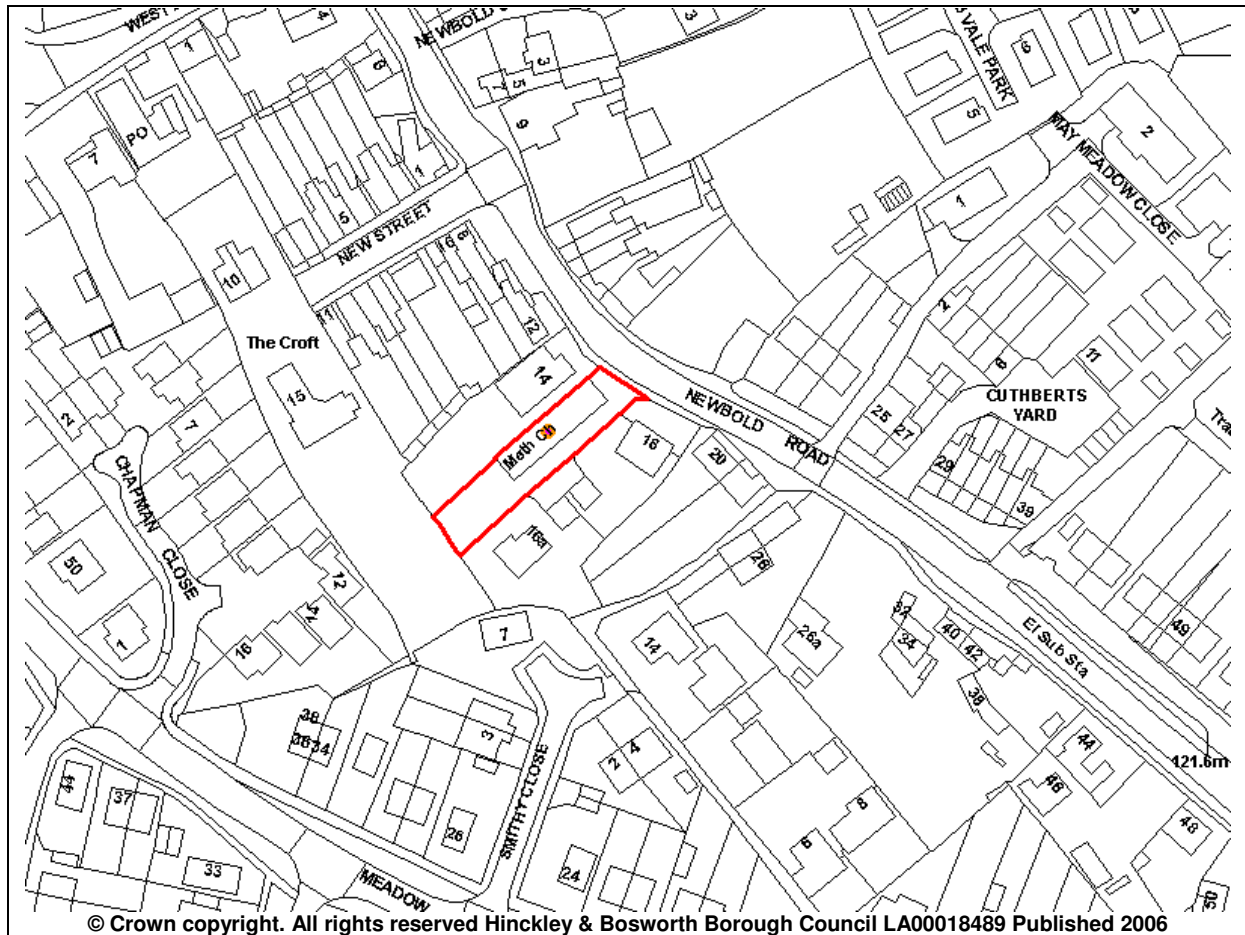
26.7.88

14/00157/FUL

Conversion and alteration of church to form three dwellings

Granted

01.05.14



Consultations:-

No objection subject to condition received from:-

Leicestershire County Council (Highways)
Leicestershire County Council (Ecology)
Environmental Health (Pollution)
Barlestone Parish Council

Councillor Crooks has raised the following objections:-

- the proposal does not have sufficient parking
- the use would result in increased noise and disturbance, to the detriment of neighbouring residential properties
- the building is in close proximity to residential properties
- operating hours would have a detrimental impact on the surrounding area, given that they are likely to operate for long periods of time.

Neighbours notified and nine letters of objection have been received. The objections have been received on the following grounds:-

- a) the proposal would not be in the best interests of highway and pedestrian safety in the area. It would lead to the increased vehicular use of a substandard vehicular access onto Newbold Road; it would lead to additional 'on-street' parking on that highway because the proposal makes inadequate provision for the 'off street' parking of vehicles; it lacks a footpath link between the car park and the gym entrance
- b) the proposed gym will unduly disturb adjoining residents by reason of excessive noise especially late at night and by excessive light generated both from within the building and by visiting vehicles
- c) the development will give rise to increased levels of air pollution generated by vehicles visiting the premises
- d) the level of privacy currently enjoyed by the surrounding residents will be adversely affected by the proposal
- e) there is no need for a gym here as there is already a proposal to develop a sports hall in the village
- f) the building already has planning permission for conversion to housing and this would be a much more appropriate use for this location
- g) the submitted details are limited and inaccurate
- h) the application site is accessed via a shared drive, and this proposal will lead to damage to the access road and to vehicles encroaching onto private property
- i) parked vehicles will block access to adjoining properties
- j) values of surrounding properties will be adversely affected if this application was approved and implemented.

Policy:-

National Policy Guidance

National Planning Policy Framework (NPPF) (2012)
National Planning Policy Guidance (NPPG) (2014)

Hinckley & Bosworth Core Strategy (2009)

Policy 7: Key Rural Centres
Policy 11: Key Rural Centres Stand Alone

Hinckley & Bosworth Local Plan (2001)

Policy BE1: Design and Siting of Development
Policy REC4: Proposals for Recreation Facilities
Policy T5: Highway Design and Vehicle Parking Standards

Appraisal:-

The main considerations in determination of this application are:-

- Principle of Development
- Impact on the Character of the Area
- Residential Amenity
- Highway Safety
- Other Issues

Principle of Development

The application site is located within the settlement boundary of Barlestone as defined on the adopted Hinckley and Bosworth Local Plan proposals map. Local Plan Policy REC4 seeks to ensure that recreational facilities are located within or adjoining built up areas. Policies 7 and 11 of the Core Strategy are supportive of development in Barlestone that provide employment opportunities.

The NPPF in Paragraph 14 provides presumption in favour of sustainable development and in paragraphs 17 and 20 supports sustainable economic development to provide for the future business and community needs of an area Paragraph 70 of the NPPF encourages social and recreational uses and services the community needs to enhance the sustainability of communities and residential environments.

The proposal constitutes the change of use of a Methodist Church to the use of a Gymnasium. The premises has been vacant for a number of years, and this proposal seeks the reuse of an existing building for use as a Gymnasium, in a sustainable location within the settlement boundary of Barlestone. The proposed use would capitalise on the sites potential, resulting in economic, social and environmental benefits.

In respect of concerns raised over the need for the facility; commercial demand is private matter and does not constitute a material planning consideration; however, notwithstanding this the applicant has identified a need within the immediate local area for a small gymnasium facility which is dedicated to fitness. Therefore notwithstanding the objections received, which have been carefully considered, by virtue of the sustainable location of the site and the social, environmental and economic benefits, the change of use to provide a gymnasium is not considered to conflict with the adopted planning policies. It is therefore considered that the use is acceptable in principle, subject to all other planning matters being satisfactorily addressed.

Impact on the Character of the Area

Policy BE1 (criteria a) of the Local Plan requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policy REC4 states the form, scale and design of the proposal should be in keeping with the area.

The proposal includes a number of alterations to the front and side façade of Barlestone Methodist Church, Newbold Road, Barlestone. The proposed external alterations relate principally to the existing fenestration detail. Internally the existing building has a tiered floor and as such the windows within the front elevation and side are floor to ceiling, this application would rationalise the existing openings and introduce brick heads and plinth brick cills with painted timber frames. The existing porch within the front elevation would also be removed and an oak framed canopy erected in its place. The proposed would improve the overall appearance of the building and no significant changes are proposed that would substantially alter the existing visual character of the site and building.

As the change of use would not result in any physical alterations to the external fabric of the building, its physical appearance would be retained. As such it is not considered that the proposal would have an adverse impact upon the character of the area in accordance with Policy BE1 (criteria a) of the Local Plan.

Relationship to Neighbouring Properties

Policy BE1 (criterion i) and REC4 of the adopted Local Plan requires that development does not adversely affect the amenities of the occupiers of neighbouring properties, this is further supported by paragraph 17 of the NPPF which seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings. Given the high degree of consistency between the local plan and national planning policy, Policy BE1 can be attributed full weight in the determination of this application.

Objections have been received on grounds that the proposal would result in an adverse impact on the amenities of neighbouring properties from noise and disturbance generated from the general use of the premises, additional traffic movements.

The application site fronts onto Newbold Road, and is bound by residential properties. The closest dwellings are those situated to the north and south. To the north, 14 Newbold Road, comprises of a two storey detached dwelling situated approximately 2.7 metres from the north facing elevation of the application site, and extends along the boundary of this property. The private access drive, by which the use would be served, is sited to the south and also serves numbers 16a and 18 Newbold Road.

Given the proximity of these dwellings to the site and its access, impacts in terms of noise and disturbance generated from the general use of the site and from vehicle movements must be considered. Further information has been provided by the applicant in regards to a report on Ambient Noise levels. This information has enabled further noise assessments to be undertaken and an informed conclusion to be drawn in relation to this matter. The report is based on the proposed use being in operation between the hours of 0700 to 2100 Monday to Saturday inclusive and from 0700 to 1800 hours on Sundays.

In order to minimise the noise and disturbance from the proposed use a number of mitigation measures are proposed, such as air conditioning condensers would be housed within a proprietary acoustic steel enclosure, to achieve a transmission loss of no less than 30dB(a). The floor area would be treated with anti-vibration matting to reduce vibration and airborne sound both within the facility and in the adjacent spaces. Furthermore as the proposal seeks to alter a number of the existing window openings, it is proposed that the new replacement windows should be a proprietary acoustic double glazed window system which would aid attenuation.

In respect of noise and disturbance associated with vehicle movements, whilst there may be increased disturbance during 'peak' times such as before and after work, as the site is within a built up area and adjacent to a highway, the associated disturbance is not considered to result in a material increased over and above the existing lawful use as a church, that would result in the application being unacceptable. Furthermore, given that the site is centrally located within the village in a sustainable location it would be unlikely that all customers would arrive by car.

Based on the submitted information, Environmental Health (Pollution) raise no objection to the proposal subject to the imposition of a condition for a scheme for protecting nearby dwellings from noise is submitted and approved prior to the development first being brought into use. The scheme would seek to include a number of proposed mitigation measures, as well as the fitting of a noise limiting device which would reduce the audibility of any music played. Accordingly, based on the above, the proposal is considered acceptable and in accordance with Policy BE1 (criterion i) of the Local Plan and the overarching principles of the NPPF.

Highway Safety

Neighbour concerns have been raised that the parking provision proposed is not adequate and that the existing access is not sufficient to cater for the use and that the proposal would lead to additional congestion along Newbold Road. Notwithstanding these comments Leicestershire County Council (Highways) has considered the proposal in detail and raises no objection to the scheme on highway safety grounds.

The application site provides off road parking provision for approximately seven cars to the rear of the building. Due to the sporadic nature in that customers would be arriving and departing at a range of times to use the gym across the day it is considered that the proposed parking is adequate for the use. Furthermore the applicant is proposing to reward customers who arrive at the gym through other means of transport, such as walking and cycling, with much of the projected customer based to be local residents within walking distance. The site is also situated in close proximity to a bus stop and is therefore well connected to the wider area. While it is accepted that there is the potential for additional trips to the site, it is considered that the impacts are not so bad to warrant a refusal on these grounds.

The objections and concerns of neighbouring residents in respect of parking and traffic movements have been carefully considered along with the formal comments from Leicestershire County Council (Highways). Based upon this, it is considered that the proposed use would not result in any significant impacts in terms of highway safety and as such the proposal is considered to be in accordance with policy T5 of the adopted Hinckley and Bosworth Local Plan.

Other Issues

Objections have been received in respect of devaluation of properties caused by this proposal; this is not a material planning consideration and would have no bearing on the outcome of this application.

It has been raised that the site already benefits for planning permission for conversion to dwellings. The property history is detailed above; however this application has been determined on its specific merits.

Representations have been received stating that the use of the premises have detrimentally affected privacy. As there is no additional built form that would result in additional overlooking there are considered to be no material impacts on the privacy of surrounding residents.

Conclusion

The application is for the change of use of an existing building for use as a Gymnasium. The application site is situated within a sustainable location within the settlement boundary of Barlestone, in a predominately residential area. Both the Core Strategy and the NPPF seek to encourage economic development and enterprise through the use of existing premises to provide employment opportunities. The scheme does not give rise to any significant material impacts upon the occupiers of neighbouring dwellings, either by way of noise and disturbance associated with vehicle movements or activities associated with the Gymnasium, nor would the proposal result in any severe harm in terms of highway safety. Therefore the proposal is considered acceptable in accordance with Policy BE1, REC4 and T5 of the adopted Local Plan, Policy 7 and 11 of the Core Strategy and the overarching principles of the NPPF and therefore recommended for approval subject to conditions.

RECOMMENDATION:- Grant subject to conditions.

In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

Conditions:-

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans; Site location plan R3DDL ref 14.99 (scale 1:1250), Block Plan Dwg No 14.99.02 (scale 1:500) Proposed development plan & elevations Dwg No. 15.137.01 (scale 1:100), Site Plan Dwg No. 15.137.02 (scale 1:200), Cybex floor layout received by the Local Planning Authority 27 May 2015.
- 3 Notwithstanding the recommendations of the Report on Ambient Noise At Barlestone Methodist Church 6453 REV A, Development shall not begin until a scheme for protecting nearby dwellings from noise sources generated from air conditioning, amplified music and gym equipment associated with the proposed development has been submitted to and approved by the Local Planning Authority; and all works which form part of the scheme shall be completed before the permitted development first comes into use.
- 4 The Gymnasium hereby approved shall not be in use outside the hours of 0700am to 2100pm Monday to Saturday and 0700 to 1800pm on Sunday and public holidays.
- 5 Before first use of the development hereby permitted, a 1.0 metre by 1.0 metre pedestrian visibility splay shall be provided on the highway boundary to the north west of the access onto Newbold Road, Barlestone, and nothing within that splay shall be higher than 0.6 metres above the level of the adjacent highway boundary, and shall therefore after be maintained.
- 6 Prior to first use of the development hereby approved the car parking and turning facilities as identified in Drawing No 15.137.02 shall be provided and retained for users of the facility.
- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) within Schedule 2 Part 2 Class A, shall not be carried out unless planning permission for such development has been first granted by the Local Planning Authority.
- 8 Before first use of the development hereby approved, detail of a scheme for secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be implemented before first use of the building and retained thereafter.

Reasons:-

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 For the avoidance of doubt and in the interests of proper planning.
- 3 To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy BE1 of the adopted Hinckley and Bosworth Local Plan
- 4 To ensure that the proposed use does not become a source of annoyance to nearby residents to accord with Policy BE1 (criterion i) of the adopted Hinckley and Bosworth Local Plan.
- 5 In the interests of pedestrian safety in accordance with Policy T5 of the adopted Hinckley & Bosworth Local Plan 2001.
- 6 In the interests of road safety to accord with policy T5 of the Hinckley & Bosworth Local Plan.
- 7 To ensure that the development is provided with a satisfactory means of access and to enable a vehicle to stand clear of the highway to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.
- 8 To offer a range of sustainable transport choices in accordance with Policy T5 and Paragraph 17 of the National Planning Policy Framework.

Notes to Applicant:-

- 1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.
- 2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.
- 3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.
- 4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Jenny Brader Ext 5620