

Item No 03:-

16/05023/FUL (CT.0078/1/X)

**First Floor
27 Dyer Street
Cirencester
Gloucestershire
GL7 2PP**

Item No 03:-

Change of use of gym (Use Class D2) to create 6 No. apartments (Use Class 3) at First Floor 27 Dyer Street Cirencester Gloucestershire GL7 2PP

Full Application 16/05023/FUL (CT.0078/1/X)	
Applicant:	Parcland Ltd
Agent:	Pegasus Group
Case Officer:	Claire Baker
Ward Member(s):	Councillor Joe Harris
Committee Date:	8th March 2017
RECOMMENDATION:	PERMIT

Main Issues:

- (a) The principle of the change of use
- (b) Design and impact on the character and appearance of the conservation area
- (c) Highway impact

Reasons for Referral: The application has been referred by Councillor Joe Harris for the following reason: So the Committee can assess the impact of losing a large space and amenity such as this in a town centre.

1. Site Description:

The application site is the first floor of a modern, 1970s, building located in Dyer Street, which is within the Cirencester Town Centre. The first floor is currently occupied by a commercial gym. The ground floor of the building is occupied by three retail units and there is a parking area to the rear. The site is also within the conservation area and there are several grade II listed buildings in the vicinity. The surrounding development at first floor level is a mixture of offices, retail ancillary space and residential.

2. Relevant Planning History:

None

3. Planning Policies:

NPPF National Planning Policy Framework
 LPR15 Conservation Areas
 LPR18 Develop within Development Boundaries
 LPR25 Vitality & Viability of Settlements
 LPR42 Cotswold Design Code
 CIR6 Land fronting Dyer St & The Waterloo

4. Observations of Consultees:

Conservation Officer: No objection

Highways Officer: No objection subject to conditions

5. View of Town/Parish Council:

Supports with the following comments: Members had no objection to the change of use of gym (Use Class D2) to create 6 no. apartments (Use Class 3), but they had concerns with regard to the size of the apartments and the fire escape arrangements. They would also like to see the cross and stained glass window preserved for heritage purposes.

6. Other Representations:

2 Objections:

- (i) as a member of the gym I object to its loss as it would adversely affect me and others that it benefits in the community;
- (ii) we need to support businesses for trade and tourism and not housing;
- (iii) 6 flats are not needed and the gym is important for health.

7. Applicant's Supporting Information:

Planning, Design and Access Statement

8. Officer's Assessment:

The proposal

The proposal is for a change of use of the existing gym to six apartments, three one bedroomed and two, two bedroomed units. The apartments would be contained within the existing floor area and predominantly served by existing windows but there would be some additional windows. The existing windows would be replaced to match the proposed windows. Access to the building would continue to be as existing, with the main access from a hallway and stairs off Dyer Street. Two amenity areas would be created at first floor level to serve apartments 4, 5 and 6. Six parking spaces would be provided in the existing car park for residents of the apartments.

(a) The principle of the change of use

The proposal is for a change of use from a gym (Use Class D2) to six apartments (Use Class 3). The application site is within the development boundary of Cirencester and is therefore subject to Cotswold District Local Plan Policy 18. Policy 18 supports residential development within development boundaries provided the number of dwellings is commensurate with the level of community facilities, infrastructure, public transport and employment available within the settlement. The application site is also within the commercial centre of Cirencester and as such it subject to Cotswold District Local Plan Policy 25. Policy 25 states that proposals for a change of use from retail or commercial premises to residential at first floor level will be permitted unless residential use would not accord with the housing policies of the development plan. The application site is also subject to Cotswold District Local Plan Policy CIR.6. Policy CIR.6 states that the site is allocated for retail, office and residential uses, provided retail use is provided on the Dyer Street frontage with office and residential uses above. The National Planning Policy Framework (NPPF) at paragraph 23 states that Local Planning Authorities should:

"Recognise that residential development can play an important role in ensuring the vitality of town centres and set out policies to encourage residential development on appropriate sites."

Whilst Officers appreciate that Members of the existing gym may be dismayed by its loss both the NPPF and the Local Plan supports the principle of the change of use to residential. The proposal is also thought to be beneficial in that it proposes more modest accommodation that is in short supply. In addition the applicants have advised that the current gym is not economically viable and therefore regardless of the outcome of the current application its continuation cannot be

guaranteed. An email from the applicant's agent providing supplementary information is attached to this report.

Officers are of the view that the proposal complies with Local Plan Policies 18, 25 and CIR.6 and paragraph 23 of the NPPF and that the principle of the change of use is therefore acceptable.

(b) Design and impact on the character and appearance of the conservation area

The existing building is of a modern design and uses modern materials such as reconstituted stone that does not enhance the character and appearance of the conservation area. It is regrettable that at this time financial constraints are such that a complete refurbishment of the building, previously discussed with Officers, is not viable. However, the applicant is hopeful that a more comprehensive refurbishment package will come forward in the future. Whilst Officers would wish to see an enhancement to the appearance of the building, it is the proposals that have been submitted that must be considered. Only minor changes to the appearance of the existing building are proposed. As the existing building does not preserve or enhance the character or appearance of the conservation area, the proposed modest alterations to the fenestration would have a neutral impact on its character and appearance. The modest alterations would also not adversely impact on the setting of nearby listed buildings. The Town Council has expressed a wish to see the existing cross window retained, however, Officers are of the view that, as the building itself is of no historic merit it would be unreasonable to insist that this feature is retained. The issue of the fire escapes is a matter for building control regulations and there are no minimum space requirements for the size of the apartments. Officers therefore consider that the proposals would comply with Cotswolds District Local Plan Policies 15 and 42 and Section 12 of the NPPF

(c) Highway impact

The site is in a Town Centre location within easy walking distance of amenities and just a few minutes' walk from the main bus stops which have services to the larger settlements of Cheltenham Gloucester and Swindon; there is also a link to the main line train station of Kemble to the south and Moreton in Marsh to the north. The access to the parking spaces is as existing. The proposal has 1 parking space for each flat, with no provision for visitor parking; however there are public car parks in close proximity to the site. One cycle space per dwelling is proposed to further increase sustainable transport opportunities. Officers therefore consider the proposals to be compliant with Cotswold District Local Plan Policies 38 and 39 and paragraph 32 of the NPPF.

9. Conclusion:

Officers conclude that the principle of the change of use in this location is acceptable. The proposed modest changes would not have an adverse impact on the character and appearance of the conservation area or the setting of nearby listed buildings nor would the proposal have an adverse highway impacts. The Proposal accords with Cotswold District Local Plan Policies 15, 18, 25, 38, 39 and 42 and Section 12 and paragraphs 23 and 32 of the NPPF. It is therefore recommended that the application be approved.

10. Proposed conditions:

- 1 The development shall be started by 3 years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby approved shall be implemented in accordance with the following drawing number(s):

Reason: For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

- 3 The building(s) hereby permitted shall not be occupied until the vehicular parking [and turning] [and loading/unloading] facilities have been provided in accordance, with the submitted plans and those facilities shall be maintained available for those purposes thereafter.

Reason: To ensure that a safe, suitable and secure means of access for all people that minimises the conflict between traffic and cyclists and pedestrians is provided in accordance with the National Planning Policy Framework.

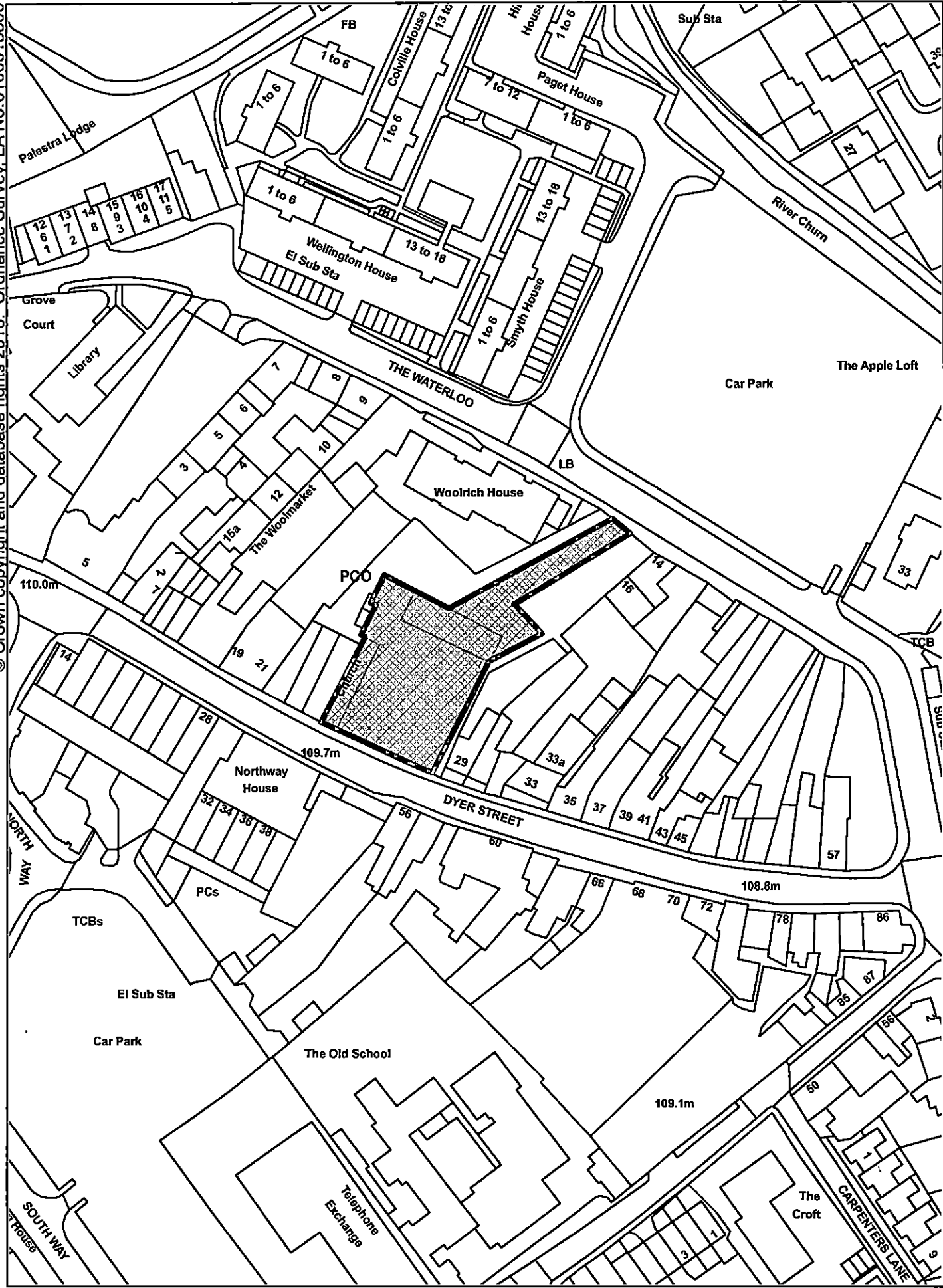
- 4 The development hereby permitted shall not be occupied until the cycle storage facilities have been made available for use in accordance with the submitted plan and those facilities shall be maintained for the duration of the development.

Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

- 5 The development hereby permitted shall not be occupied until the improvements to the pedestrian access from Dyer Street to the Waterloo have been completed for use in accordance with the submitted plan and those facilities shall be maintained for the duration of the development.

Reason: To ensure that adequate cycle parking is provided, to promote cycle use and to ensure that the opportunities for sustainable transport modes have been taken up in accordance with paragraph 32 of the National Planning Policy Framework.

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First Floor 27 Dyer Street Cirencester Glos

Scale: 1:1250

Organisation: Cotswold District Council

Department:

Date: 24/02/2017

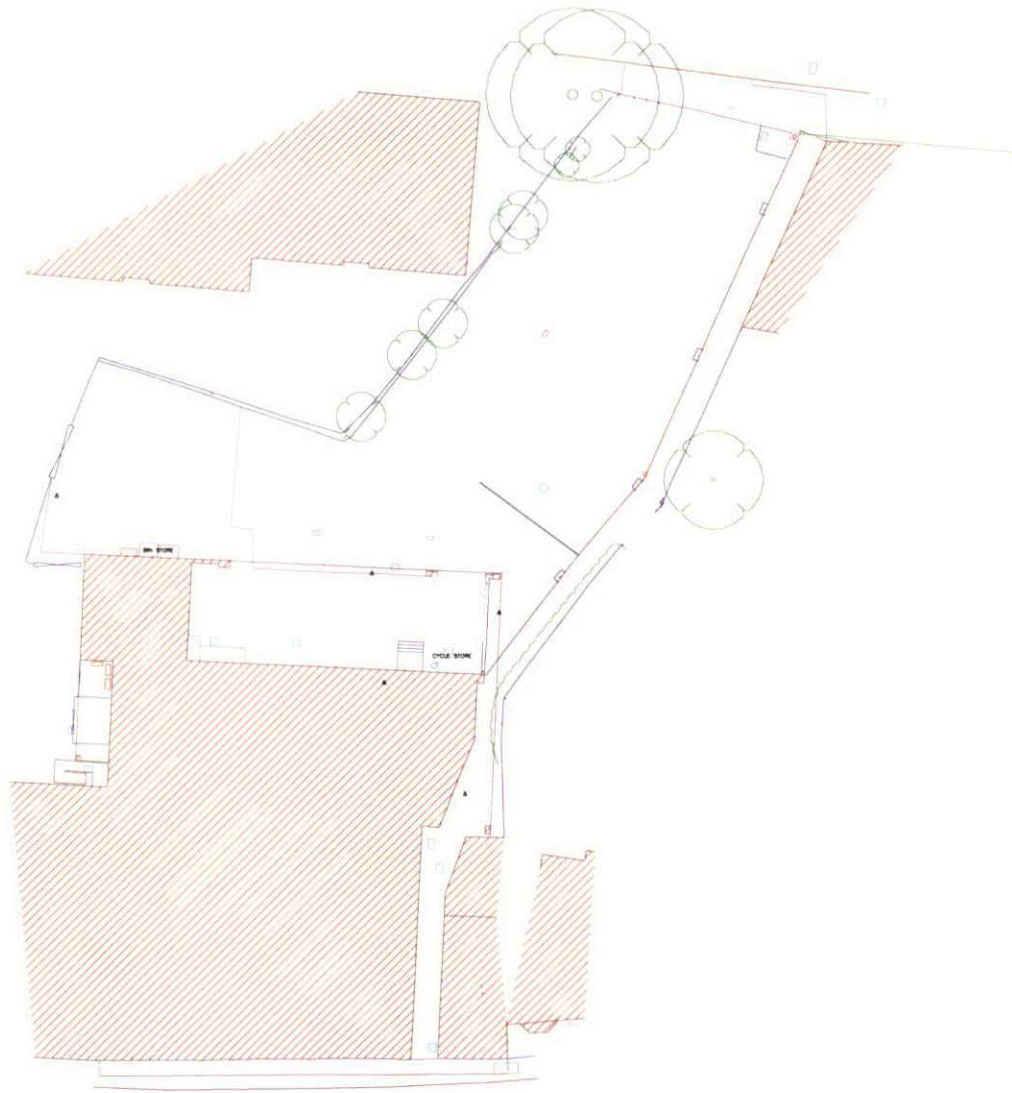


COTSWOLD
DISTRICT COUNCIL

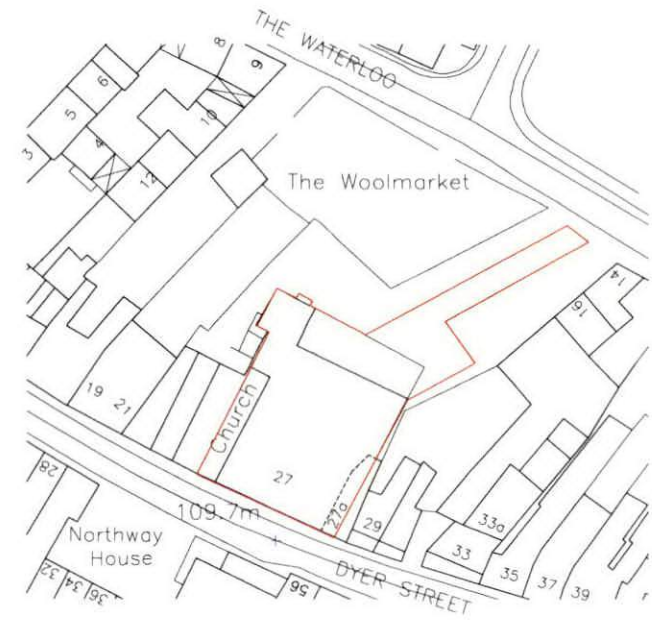




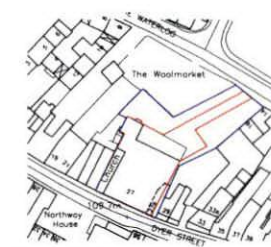
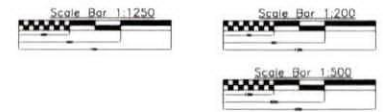
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SITE PLAN 1:200



BLOCK PLAN 1:500

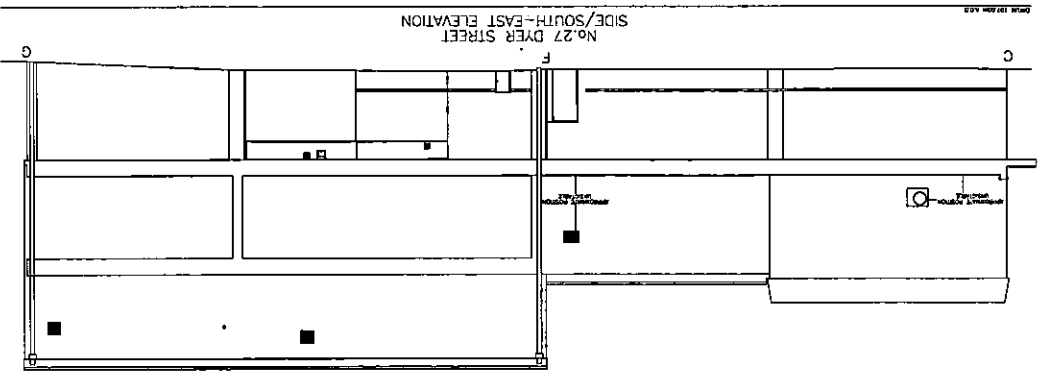


SITE LOCATION PLAN 1:1250

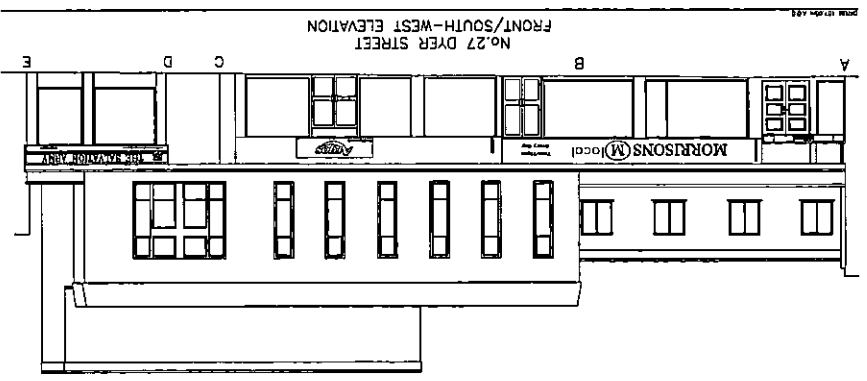
34

CLIENT: Parc Land Limited		
TITLE: Block and Site Location Plan		
SITE: 27 Dyer Street Cirencester Gloucestershire GL7 2PP		
JAMES SLATER & Co Chartered Building Surveyors Architectural Designers		
19 Dyer Street Cirencester Gloucestershire GL7 2PP Tel: 01285 650686 Fax: 01285 644212		 www.jameslater.co.uk
SCALES: AS STATED @ A1		
DATE: NOV 2016	DRAWN: MW	CHECKED: SH
DRAWING NUMBER: 15-99-401	REV:	

EXISTING SIDE (SOUTH-EAST) ELEVATION



EXISTING FRONT (SOUTH-WEST) ELEVATION



CLIENT: Parc Land Limited
 TITLE: Elevations As Existing
 Set 1
 SITE: 27 Dyer Street
 Cirencester
 GL7 2PP

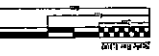
JAMES SLATER & Co
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 Architectural Designers

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 Gloucestershire
 GL7 2PP
 Tel: 01285 650686
 Fax: 01285 644212
 www.james Slater.co.uk

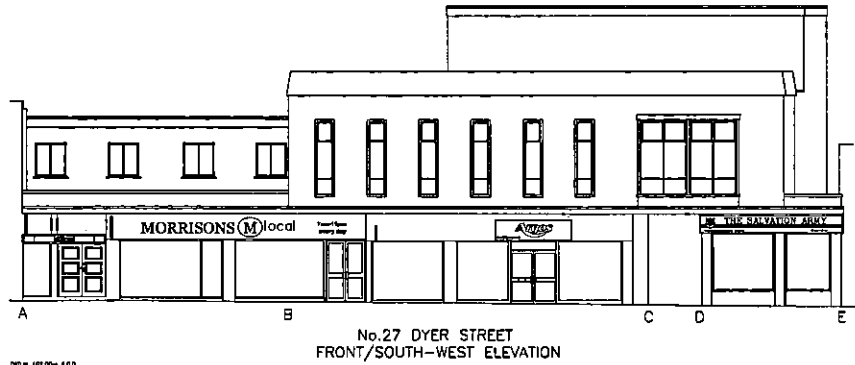
SCALES:
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DATE: DRAWN: CHECKED:
 Nov 2016 SH MW

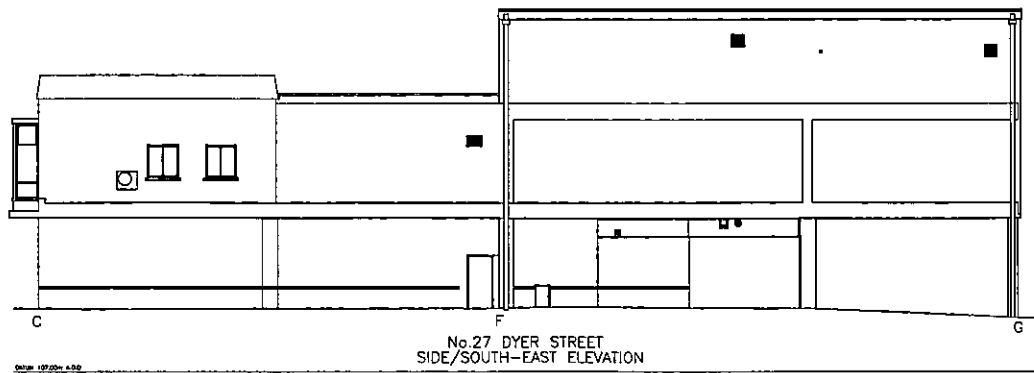
DRAWING NUMBER: 15-99-301
 REV:



NOTES:
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 2. Large solid areas may be taken to face unless stated otherwise.
 3. Check dimensions to be taken from.
 4. To show the location of any existing features.
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PROPOSED FRONT (SOUTH-WEST) ELEVATION



PROPOSED SIDE (SOUTH-EAST) ELEVATION

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 3. Critical dimensions to be taken from this.
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CLIENT:
Parc Land Limited

TITLE:
Elevations As Proposed
Set 1

SITE:
27 Dyer Street
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Glos
GL7 2PP

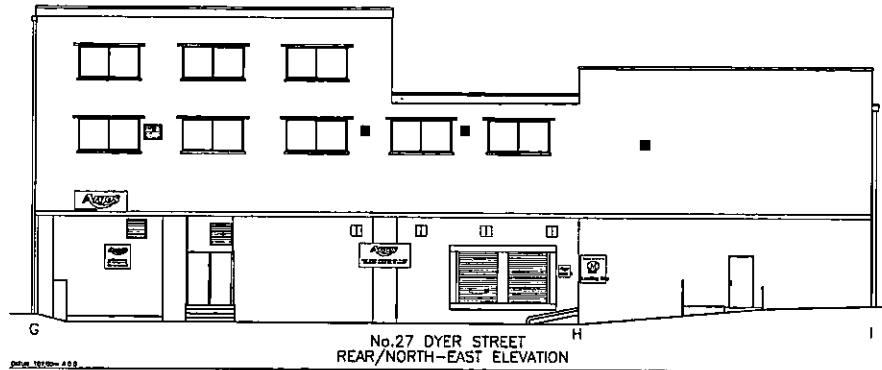
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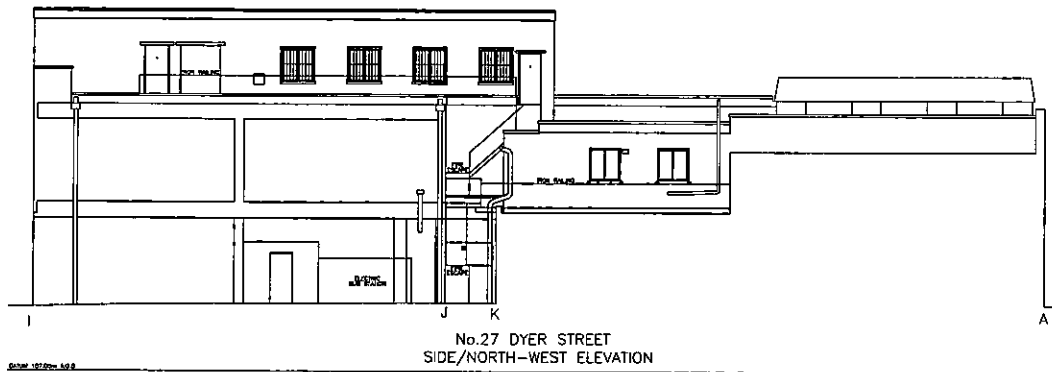
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SCALES: 1:100 @ A1			
DATE: Nov 2016	DRAWN: SH	CHECKED: MW	REV:
DRAWING NUMBER: 15-99-304			

- NOTES:
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EXISTING REAR (NORTH-EAST) ELEVATION



EXISTING SIDE (NORTH-WEST) ELEVATION

CLIENT:
Parc Land Limited

TITLE:
Elevations As Existing
Set 2

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

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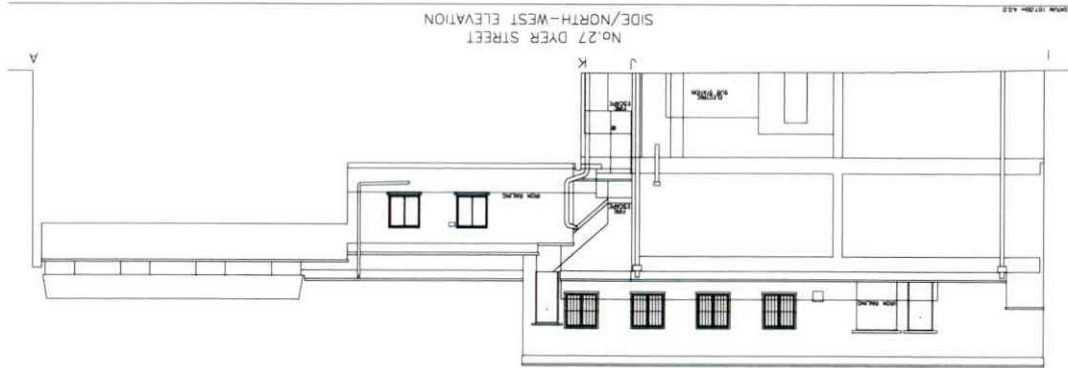
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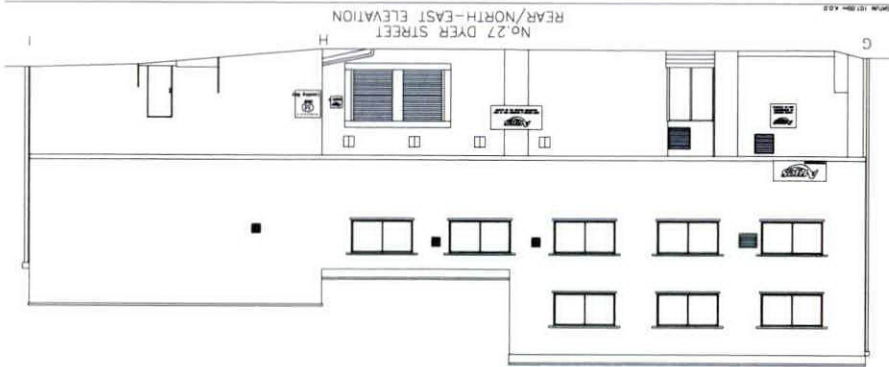
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DATE: Nov 2016	DRAWN: SH	CHECKED: SH
DRAWING NUMBER: 15-99-302		REV:

PROPOSED SIDE (NORTH-WEST) ELEVATION



PROPOSED REAR (NORTH-EAST) ELEVATION

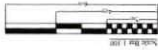


CLIENT: Parc Land Limited
 TITLE: Elevations As Proposed
 Set 2
 SITE: 27 Dyer Street
 Cirencester
 GL7 2PP

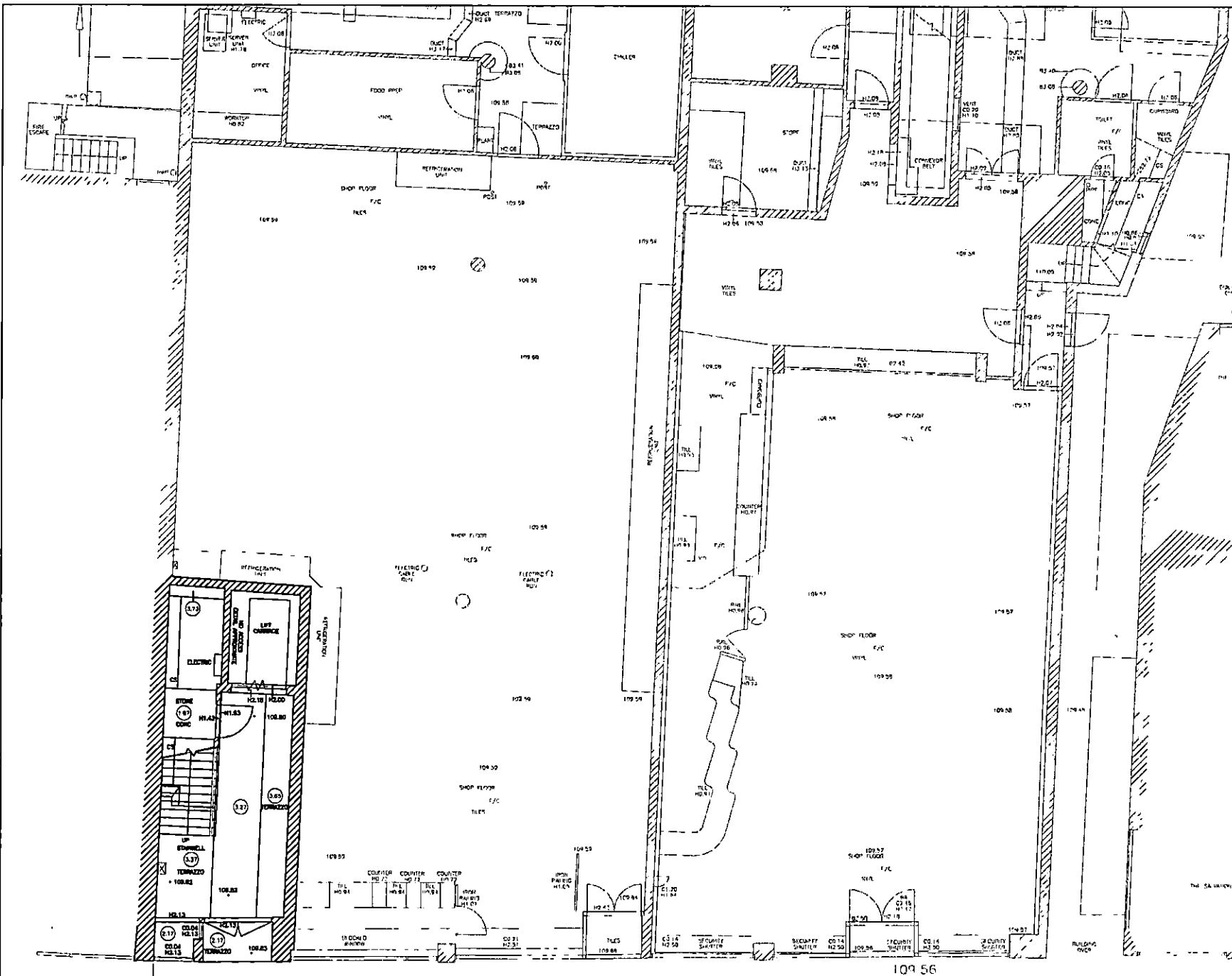
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 Fax: 01285 644212

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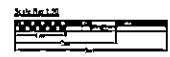
DATE: DRAWN: CHECKED:
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 DRAWING NUMBER: 15-99-305



NOTES:
 1. All work shall be in accordance with the Building Regulations.
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 3. All work shall be in accordance with the relevant Building Regulations.
 4. All work shall be in accordance with the relevant Building Regulations.
 5. All work shall be in accordance with the relevant Building Regulations.
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 9. All work shall be in accordance with the relevant Building Regulations.
 10. All work shall be in accordance with the relevant Building Regulations.



- NOTES
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CLIENT:
Parc Land Limited

TITLE:
Ground Floor Layout
as Existing

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

JAMES SLATER & Co
Chartered Building Surveyors
Architectural Designers

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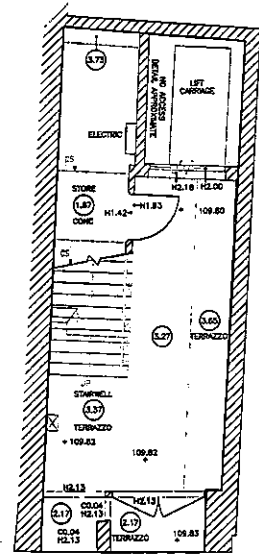
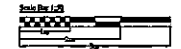
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DATE: Nov 2016	DRAWN: SH	CHECKED: JM
DRAWING NUMBER: 15-99-101		REV:

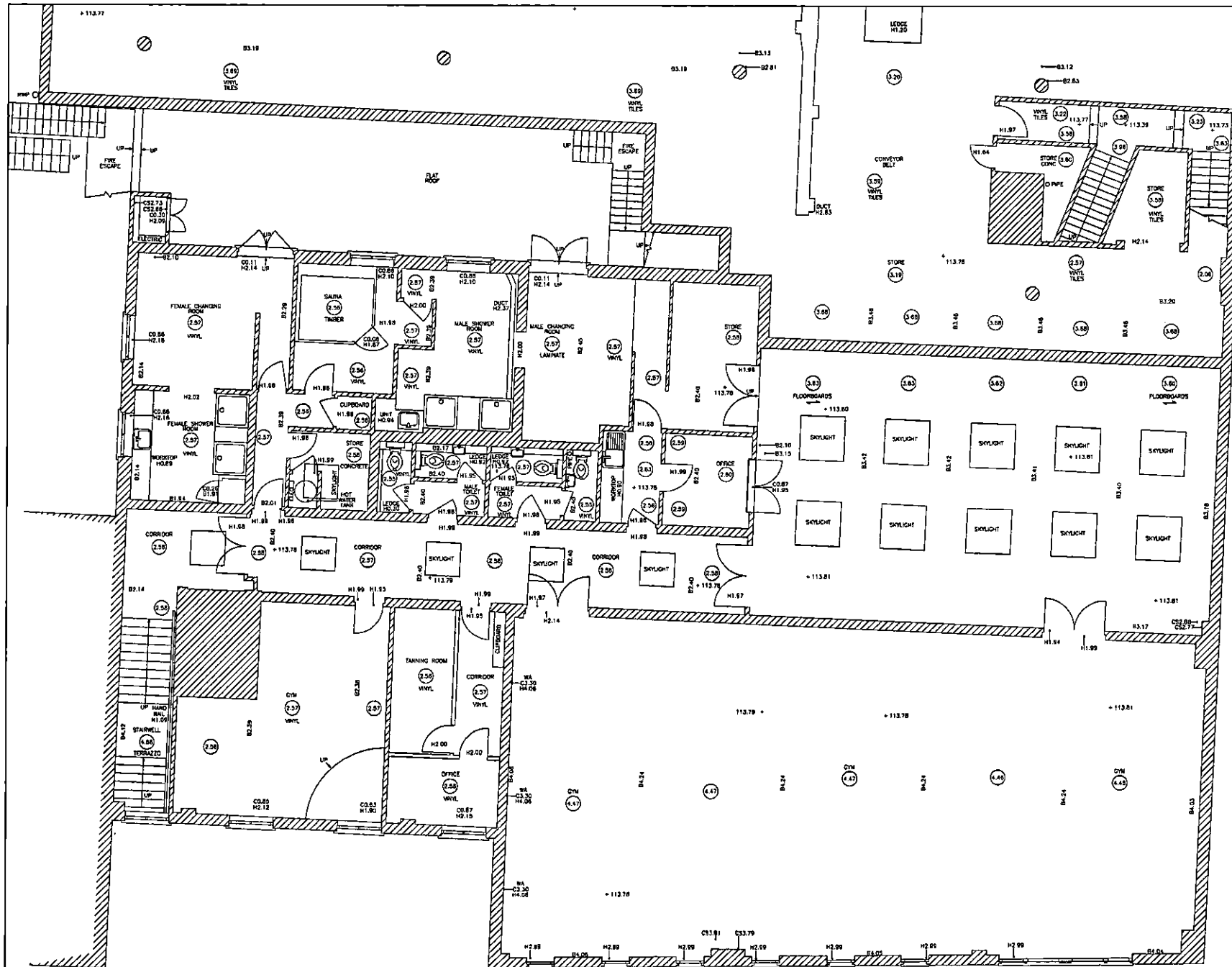
EXISTING GROUND FLOOR LAYOUT

- NOTES:
1. Figure dimensions to be taken in preference to verbal dimensions.
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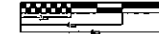
PROPOSED GROUND FLOOR PLAN

CLIENT: Parc Land Limited		
TITLE: Ground Floor Layout as Proposed		
SITE: 27 Dyer Street Cirencester Glos GL7 2PP		
JAMES SLATER & Co Chartered Building Surveyors Architectural Designers		
19 Dyer Street Cirencester Gloucestershire GL7 2PP Tel: 01285 650686 Fax: 01285 644212		 www.jameslater.co.uk
SCALES: 1:50 @ A1		
DATE: Nov 2016	DRAWN: SH	CHECKED: JM
DRAWING NUMBER: 115-99-102	REV:	



- NOTES
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 3. Critical dimensions to be taken from plan
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Scale: 1:50



41

CLIENT:
Parc Land Limited

TITLE:
First Floor as Existing

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

JAMES SLATER & Co
Chartered Building Surveyors
Architectural Designers

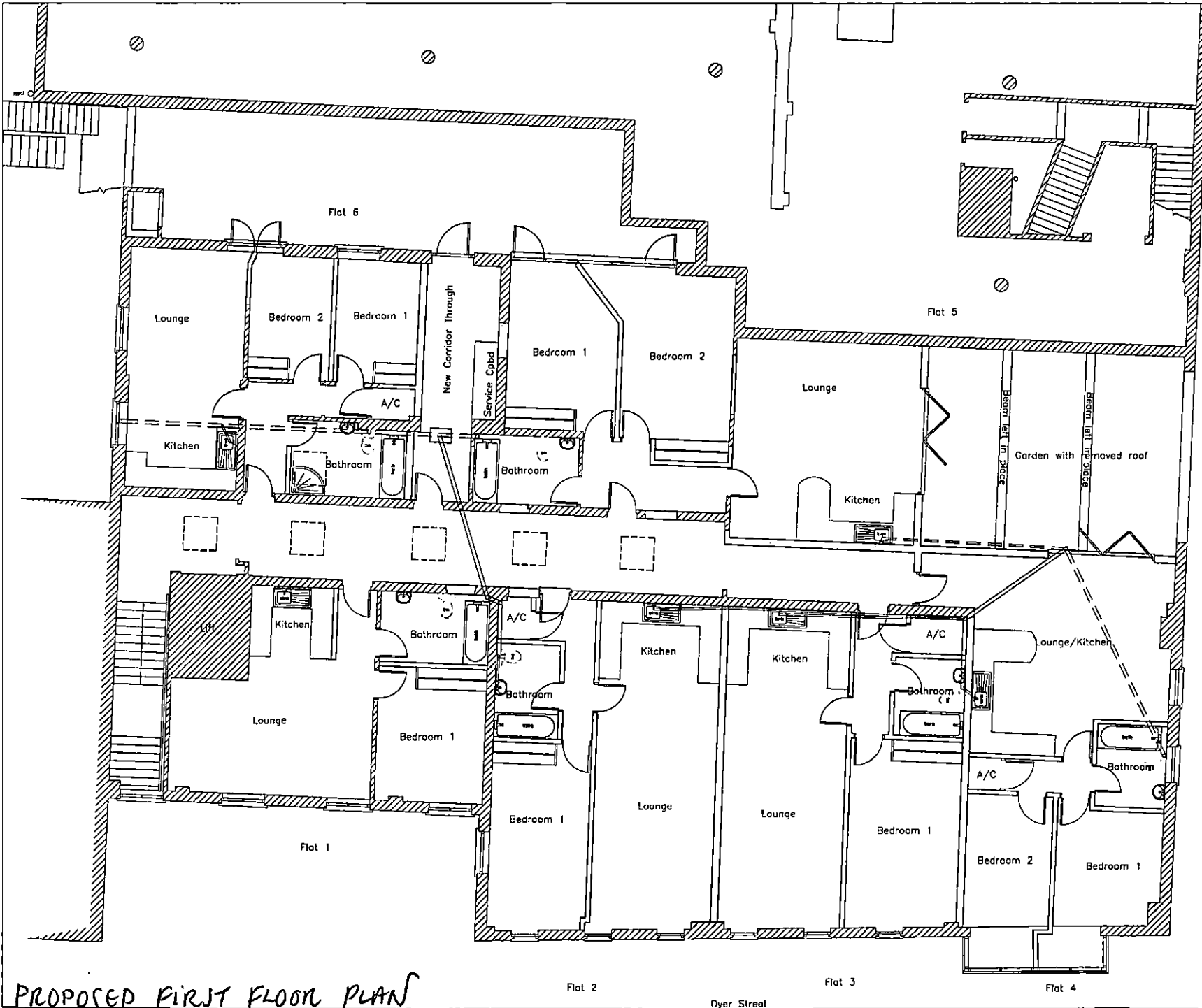
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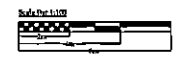
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DATE: Nov 2016	DRAWN: SH	CHECKED: MW
DRAWING NUMBER: 15-99-201	REV:	

EXISTING FIRST FLOOR LAYOUT



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42

CLIENT:
Parc Land Limited
TITLE:
First Floor as Proposed

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

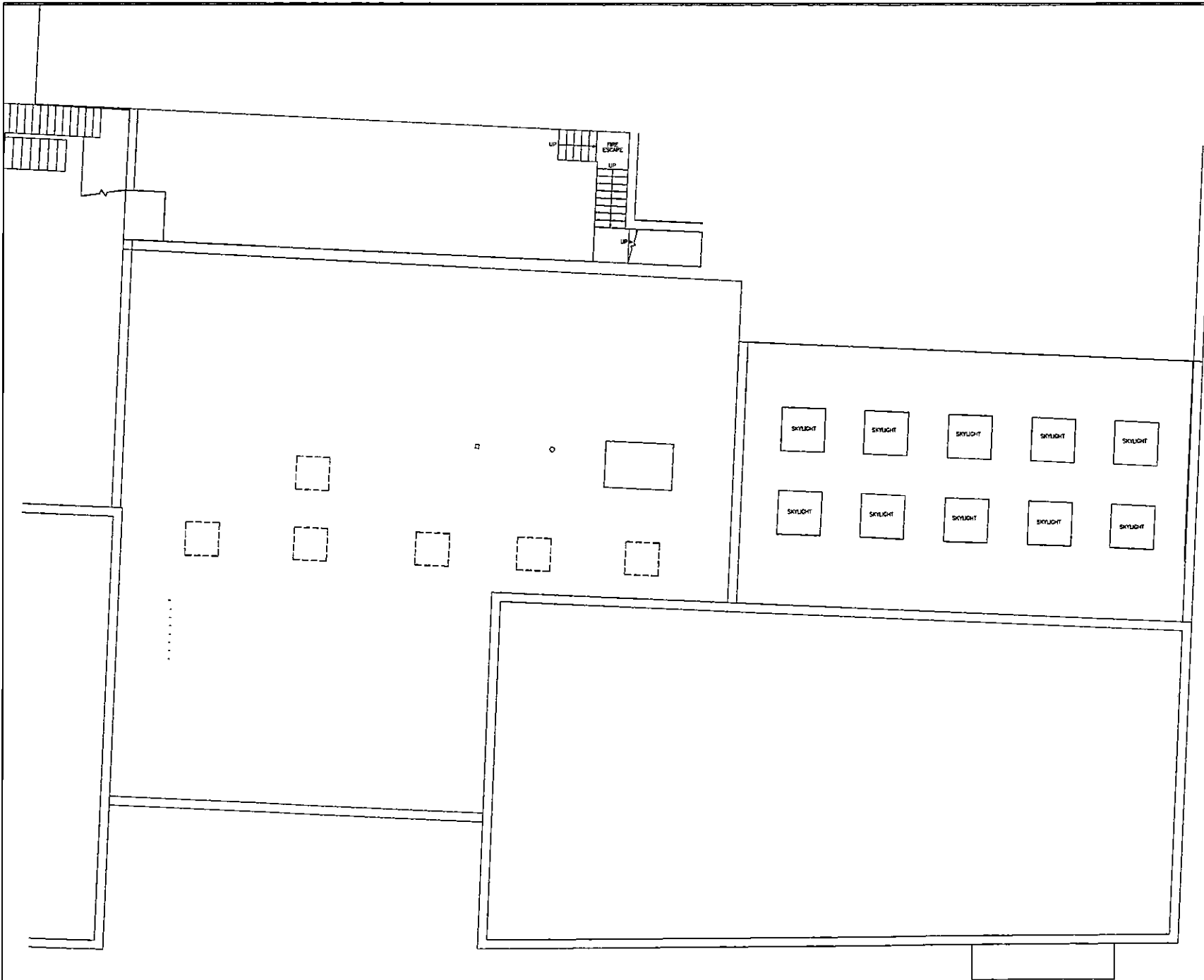
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SCALES: 1:50 @ A1		
DATE: Nov 2016	DRAWN: SH	CHECKED: MW
DRAWING NUMBER: 15-99-202		REV:

PROPOSED FIRST FLOOR PLAN

Flat 1 Flat 2 Flat 3 Flat 4 Flat 5 Flat 6
Dyer Street



EXISTING ROOF LAYOUT

- NOTES:
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CLIENT:
Parc Land Limited

TITLE:
Roof Layout as Existing

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

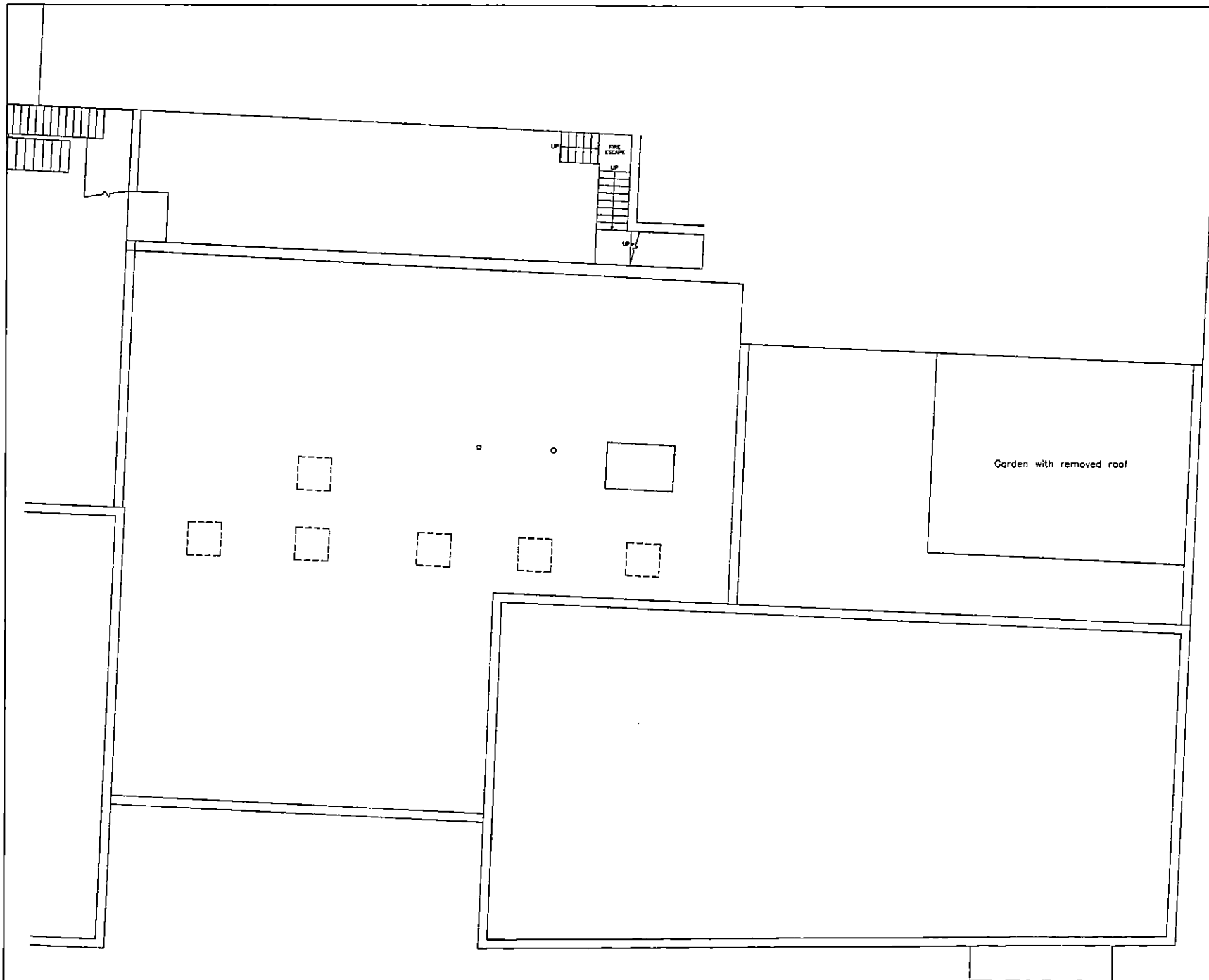
JAMES SLATER & Co
Chartered Building Surveyors
Architectural Designers

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Cirencester
Gloucestershire
GL7 2PP
Tel: 01285 650686
Fax: 01285 644212

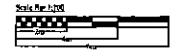
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SCALES:
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DATE: Nov 2016	DRAWN: SH	CHECKED: MW
DRAWING NUMBER: 15-99-501		REV:



- NOTES
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PROPOSED ROOF LAYOUT

CLIENT:
Parc Land Limited

TITLE:
Roof Layout as Proposed

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

JAMES SLATER & Co
Chartered Building Surveyors
Architectural Designers

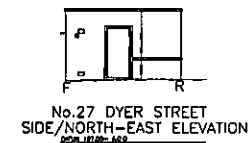
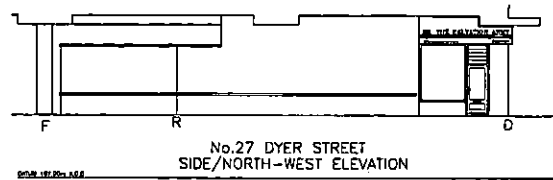
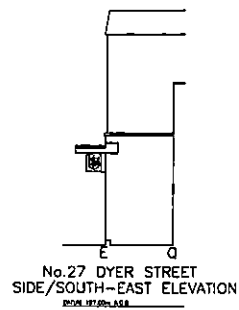
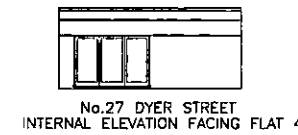
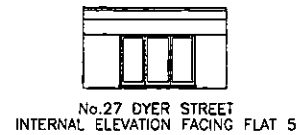
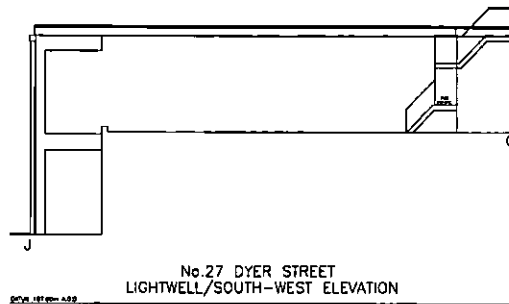
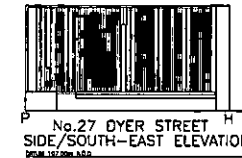
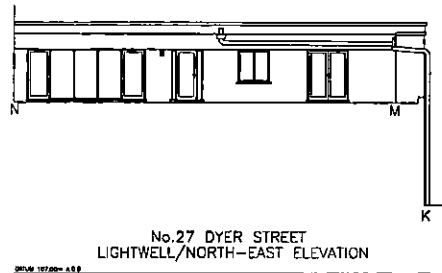
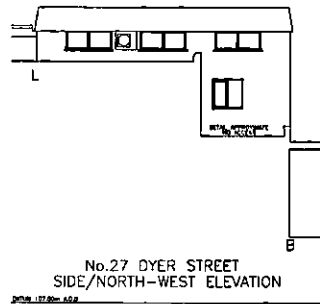
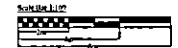
19 Dyer Street
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Fax: 01285 644212

RICS
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SCALES:
1:50 @ A1

DATE: Nov 2016	DRAWN: SH	CHECKED: MW
DRAWING NUMBER: 15-99-502	REV:	

- NOTES
1. Typical dimensions to be taken in preference to actual dimensions.
 2. Large scaled drawings to be taken in preference to small scale.
 3. Critical dimensions to be taken from this.
 4. If in doubt, the contractor should fix dimensions.
 5. These drawings and designs are the copyright of James Slater & Co and may not be reproduced or used without permission.



A elevation B changed to include window 22/12

CLIENT:
Parc Land Limited

TITLE:
Elevations As Proposed
Set 3

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

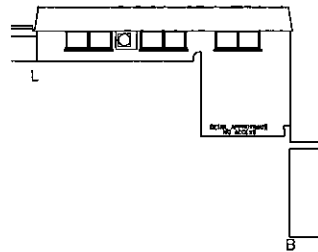
JAMES SLATER & Co
Chartered Building Surveyors
Architectural Designers

19 Dyer Street
Cirencester
Gloucestershire
GL7 2PP
Tel: 01285 650686
Fax: 01285 644212

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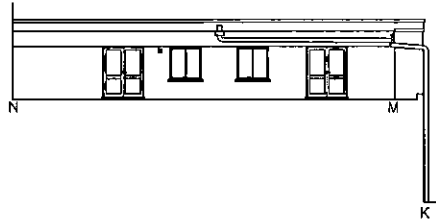
SCALES:
1:100 @ A1

DATE: Nov 2016	DRAWN: SH	CHECKED: MW
DRAWING NUMBER: 15-99-306	REV: A	



No.27 DYER STREET
SIDE/NORTH-WEST ELEVATION

REF: 157/20-ADD



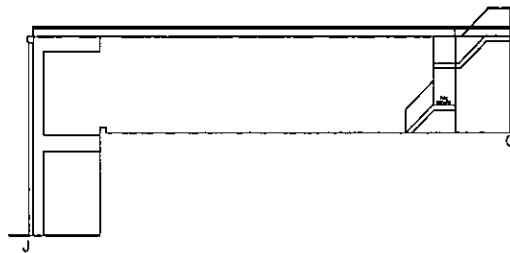
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LIGHTWELL/NORTH-EAST ELEVATION

REF: 157/20-ADD



No.27 DYER STREET
LIGHTWELL/SOUTH-EAST ELEVATION

REF: 111/20-ADD



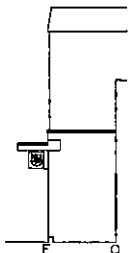
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LIGHTWELL/SOUTH-WEST ELEVATION

REF: 157/20-ADD



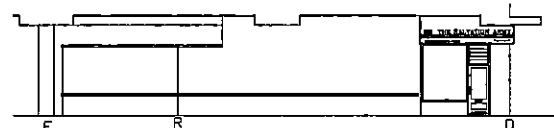
No.27 DYER STREET
SIDE/SOUTH-EAST ELEVATION

REF: 157/20-ADD



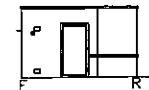
No.27 DYER STREET
SIDE/SOUTH-EAST ELEVATION

REF: 157/20-ADD



No.27 DYER STREET
SIDE/NORTH-WEST ELEVATION

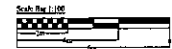
REF: 157/20-ADD



No.27 DYER STREET
SIDE/NORTH-EAST ELEVATION

REF: 157/20-ADD

- NOTES:
1. Figure dimensions to be taken in preference to verbal directions.
 2. Large scaled drawings to be taken in preference to small scale.
 3. Original elevations to be taken from site.
 4. If in doubt, the contractor must refer to the architect.
 5. These drawings and designs are the copyright of James Slater & Co and may not be reproduced or used without permission.



CLIENT:
Parc Land Limited

TITLE:
Elevations As Existing
Set 3

SITE:
27 Dyer Street
Cirencester
Glos
GL7 2PP

JAMES SLATER & Co
Chartered Building Surveyors
Architectural Designers

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SCALES:
1:100 @ A1

DATE: Nov 2016	DRAWN: SH	CHECKED: MW
DRAWING NUMBER: 15-99-303		REV:

Claire Baker

From: Kerry Pfleger <Kerry.Pfleger@pegasuspg.co.uk>
Sent: 25 January 2017 11:16
To: Claire Baker
Subject: 27 Dyer Street, Cirencester - 16/05023/FUL

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Claire

Further to our telephone conversation last week I attach below a copy of the newspaper article from the Wilts and Glos Standard regarding the above planning application. As you will see from the article Councillor Harris raises concerns regarding the design of the proposed development and the loss of space for a leisure facility.

As discussed, the application site lies within the development boundary of Cirencester and as such Local Plan Policy 18 supports the principle of residential development (where the number of dwellings proposed is commensurate with the level of community facilities, infrastructure, public transport, services and employment available in the settlement). The Policy sets out no requirement to justify the loss of an existing use and the existing use (a gym) is not protected by any other Local Plan Policies. Whilst I therefore note Cllr Harris' comments regarding the loss of a leisure facility I do not consider this to be relevant to the consideration of this application in planning policy terms. I also note that at the time of writing only 2 members of the gym have written to the Council objecting to the proposals.

Notwithstanding this, I thought it may be of assistance to you (and Cllr Harris) if I provided you some background to the gym and the owners decision to submit a planning application for redevelopment of the gym to 6 flats.

The applicants purchased the application site (and retail units below) in March 1996, the Church closed in October 1997 and the Active4Less (formerly known as Alter Ego) gym opened in April 1998. The applicants have heavily subsidised the gym almost since it opened, reducing the rent after just one year in an attempt to help the gym establish itself and so as to avoid vacant possession. A reduction in rent of nearly 40% was given from September 2009 up to June 2015 when the applicants had no option but to start charging interest. The applicants originally charged the equivalent of £4.16 per square foot, reducing this to just £2.57 per square foot, which is substantially below that which would be expected in Cirencester town centre, and is even below industrial rents for out of town units.

The gym owners have worked very hard but have been unable to afford full upkeep and maintenance to the gym. In May 2014 the showers badly leaked into the ground floor retail units. As the gym was unable to pay to repair the damage the applicants agreed to replace the showers at their own cost. It would not be fair on the tenants to disclose figures but it is understood these costs ran well in to five figures. The gym is repaying the costs of the new showers but the applicants have absorbed the associated surveying and legal costs, as well as interest, and the tenants are substantially in arrears as of today.

The roof of the building also needs replacing and the gym is responsible for 50% of these costs which they simply cannot pay. The roof is constructed with felt over Woodwool Slabs which is a deleterious material which when wet can collapse; the roof is also ponding. The repair cost of this is estimated at £40-50,000. In addition, the windows need replacing, which again is a very substantial cost.

The opening of the 'Fitness Space' which is a modern new gym in Cirencester town centre has probably not helped matters. The building subject of this application was built as a Church Hall and has many ancillary areas that are inefficient. The building is now over 43 years old and is in need of significant refurbishment

The gym owners and Applicant have looked at premises at half this size as alternatives.

The applicants have offered to write off the gyms debts and give assistance in finding new premises.

The applicants do not believe any gym could operate a viable business in these premises at anything like market rates and the applicants have gone out of their way to try to help the gym build a viable business, but the fact is the premises are old, require a significant amount of capital expenditure and the layout is very inefficient

In terms of design, as set out in Section 3 of the Planning Supporting Statement the application proposals form part of a package of investment into the building, the majority of which will not require planning permission. The proposals will therefore form part of a package of overall enhancement measures to the building including replacement of windows, re-cladding the canopy, adding new lighting, (a new entrance feature) and cleaning of the stone. The applicants have employed a firm of architects to provide options which they will bring forward in due course. Whilst I appreciate it may be desirable to see a more comprehensive redevelopment / refurbishment of the building/site, after careful examination it is not viable to carry out a redevelopment whilst there are existing viable ground floor tenants and any more radical refurbishment would impact on these businesses. Notwithstanding this the proposals will deliver significant visual enhancements to the front elevation of the building.

Incidentally, there is no stained glass window, just a stone cross in the main hall window.

I trust the above is of assistance and if you require any further information please do let me know.

Whilst I appreciate this email may be uploaded on the Council's website I will also forward it onto Councillor Harris for his information.

Regards

Kerry

Kerry Pflieger

Principal Planner

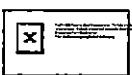
Pegasus Group

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS

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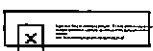
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The Cirencester Office's Environmental Management System is certified to the international ISO 14001:2004 standard.



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