
APPLICATION REFERRED FROM THE WEEKLY LIST

WEEKLY LIST NO. 1364 – 6 JANUARY 2017

16/01029/COU

24 SIRDAR ROAD, RAYLEIGH, SS6 7XF

CHANGE THE USE FROM WORKSHOP TO D2 (GYM)

1 DETAILS OF REFERRAL

- 1.1 This item was referred from Weekly List No. 1364 requiring notification to the Assistant Director, Planning & Regeneration Services by 1.00 pm on Wednesday, 11 January 2017 with any applications being referred to the meeting of the Committee scheduled for 19 January 2017. At the Committee held on 19 January 2017 the application was deferred to the next meeting of this Committee, due to time constraints.
- 1.2 Cllr I H Ward referred this item on the grounds that the proposed gymnasium would operate into evenings and weekends resulting in increased use of Woodlands Avenue for overspill car parking associated with this proposed use during social hours, intensifying and extending existing parking problems in this street with consequent noise and disturbance detrimental to the amenity those residents ought reasonably expect to enjoy.
- 1.3 The item that was referred is attached at appendix 1, as it appeared in the Weekly List. Details of additional representations received since preparation of the officer's report is attached at appendix 2.
- 1.4 A plan showing the application site is attached at appendix 3.

2 RECOMMENDATION

- 2.1 It is proposed that the Committee **RESOLVES**

To determine the application, having considered all the evidence.

If you would like this report in large print, Braille or another language please contact 01702 318111.

Application No : 16/01029/COU Zoning : Existing Employment

Case Officer Mr Robert Davis

Parish : Rayleigh Town Council

Ward : Lodge

Location : 24 Sirdar Road Rayleigh SS6 7XF

Proposal : Change the use from workshop to D2 (Gym)

SITE AND PROPOSAL

1. The site 24 Sirdar Road is located towards the north eastern end of the Brook Road Industrial Estate. The 922m² site is broadly triangular in shape. There are further commercial units to the south. Adjacent the site to the north is an access road and beyond lies the rear garden boundaries of dwellings fronting onto Woodlands Avenue. There is an alleyway linking Woodlands Avenue with Sirdar Road

2. The site is occupied by a 355m² single storey unit which includes a main 220m² working area. The building has recently been rebuilt after suffering extensive fire damage. Prior to the fire it was previously used as a workshop for cars.

3. The applicant seeks to use the building for small group and one to one fitness training. Group training would be limited to around 10 people at a time with sessions being pre booked. The applicant states that the opening times would be Monday to Friday 05:00 to 22:00, Saturday 07:00 to 18:00 and Sunday 08:00 to 12:00.

4. PLANNING HISTORY

Application No. F/0144/93/ROC Construction of Inlet and Outlet Silencers Within Flues to Serve Existing Spray Booth. Approved.

Application No. 15/00659/FUL Proposed Re-roofing of Existing Building With Part Pitched, Part Flat Roof. Alter Existing Fenestration. Approved.

MATERIAL PLANNING CONSIDERATIONS

5. The site is within an area allocated as employment land on the Council's Allocation Plan (2014) where new employment development will be expected to be predominantly B1 (Business) and/or B2 (General Industrial) employment uses.

6. Policy ED3 - Existing Employment Land of the Core Strategy 2011 states that existing employment sites which are well used and sustainable will be protected from uses that would undermine their role as employment generators. The Brook Road estate is a relatively large commercial estate that includes a number of leisure uses without it seems, harm to the vibrancy of the estate. The vacant building to which this application relates is relatively small in size offering limited potential for employment

levels over and above the two full time and one part time jobs that the application details state would result from the gym proposed. The pre -amble to Policy DM 32 (paragraph 6.8 page 85) to the Council's Development Management Plan whilst reiterating the need to protect existing employment areas for primarily B1 and B2 uses at paragraph 6.7, states the Council however recognises the necessity of maintaining a flexible approach to employment uses to reflect the current economic and employment situation and to ensure that employment land remains vibrant with minimal vacancies. Alternative use classes will be permitted if they are an appropriate use which does not undermine existing employment uses; and positively contributes to the viability of the employment land and are compatible with existing employment uses. Gymnasium premises are increasingly found in either the few purpose built sports centres or many business and industrial areas throughout the district. The size of unit lends itself to suitability for the use proposed as precededented to many industrial estates. On balance, officers consider there is no justification to prevent the use of the vacant building at 24 Sirdar Road by a leisure orientated business.

7. There will be no change to external areas and no change to the current parking provisions. The adopted parking standards for a Class D2 Gym are maximum standards and relate to the internal floor space of public areas. The maximum number of spaces for this proposal would be 22 spaces based on a 220m² public floor area. The submitted plan indicates the provision of five parking spaces on the site however there would be sufficient space to allow for additional vehicles. The applicant has stated that there is sufficient car parking space for eight vehicles. Given the proposed small group and one to one training it is considered there would be sufficient parking on site.

8. There have been a number of objections from residents in the Woodlands Avenue area regarding parking provision as there is a pedestrian access from Woodlands Avenue to Sirdar Road. Residents are concerned that allowing the development would result in vehicles parking on Woodlands Avenue causing hazards and congestion.

9. Concerns have also been raised from residents about the potential for noise generation particularly from amplified music. The applicant has stated that although music would be played this would not be at a level that would affect neighbouring residents. The premises is also small in size and would not be suitable for any sound system which would allow noise loud enough to be dispersed sufficiently far from the building to adversely impact residential amenity.

10. Notwithstanding the concerns that have been raised it is considered that the proposal would be an acceptable use of this vacant building.

Representations:

RAYLEIGH TOWN COUNCIL - Objects to this application due to insufficient parking and nuisance to neighbours in the adjacent roads

RDC COMMUNITY SAFETY OFFICER

The application for change of use doesn't indicate the hours of operation of the Gym. Given the site has been generally of a commercial nature the workshop would have operated primarily during business hours. Given the proximity to residential properties to the north of the site there is more likely to be a potential for evening and weekend activity which could effect them if not managed. It could also bring more vehicles onto that area and foot traffic along the alley opposite.

NEIGHBOURS - Representations have been received from the following addresses:
Numbers 2,3,12,14,15,17,18,19,20,21,22,25,27,28,38 and one other on Woodlands Avenue
29 Church Road
All object to the development

APPROVE

1 SC4B Time Limits Full - Standard

Relevant Development Plan Policies and Proposals:

Policies ED1, ED3, CP1, T1, T3 and T8 of the Core Strategy (2011)

National Planning Policy Framework

Policy EEL2 of the Allocations Plan (2014)

Policies DM30 and DM32 of the Development Plan Document (2014)

The local Ward Member(s) for the above application are Cllr I H Ward Cllr R Milne
Cllr S P Smith

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Since the preparation of the officer's report the following additional representations have been made:-

Consultations

RDC Environmental Health Team Leader, Environmental Health reports that if Members are minded to approve the application, the following conditions should be attached to any consent granted.

1. No amplified speech or music shall be broadcast on external areas of the premises.
2. All doors and windows shall be kept shut during periods when amplified speech or music is broadcast inside the premises.
3. No internally generated music will be audible at the premises boundary.

Further Neighbour Representations

Sirdar Road – 22

No problem with the gym, but yellow lines to Sirdar Road need extending as we cannot use our crossover, especially in the school holidays due to the parking at Base Jump spilling over to all areas of the trading estate. There is also an issue with a trailer that has been permanently parked in two parking spaces since August 2016, which does not help the situation.

Woodlands Avenue: 30 and 32

And which in the main make the following comments and objections:-

- o Noise from gym, particularly bass music
- o Cars will park on Woodlands Avenue causing problems to residents
- o Hours of operation excessive

Revised Officer Recommendation

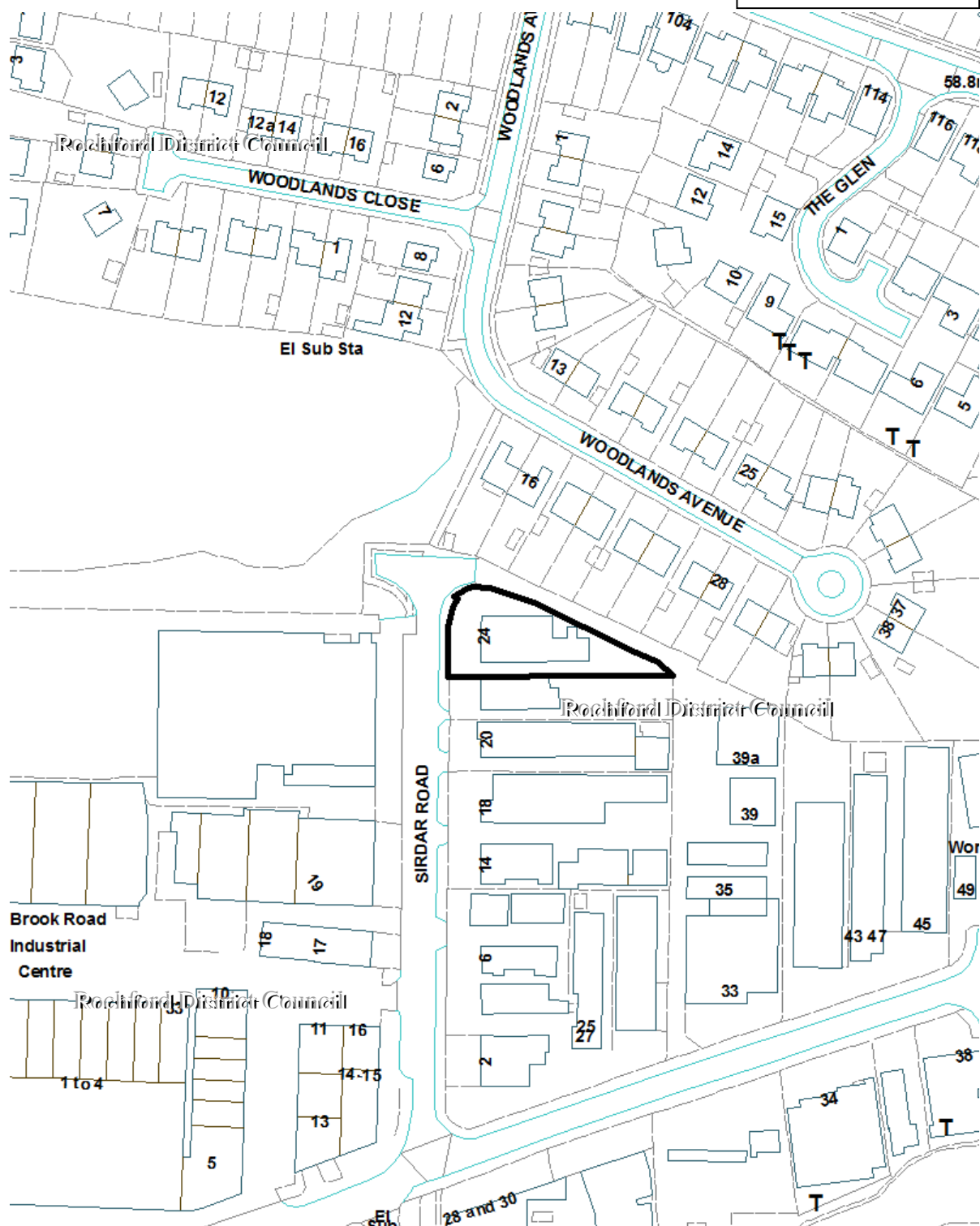
APPROVE

Subject to the conditions set out in the officer recommendation and the additional heads of conditions recommended by the Council's Environmental Health Team Leader.

1. No amplified speech or music shall be broadcast on external areas of the premises.

2. All doors and windows shall be kept shut during periods when amplified speech or music is broadcast inside the premises.
3. No internally generated music will be audible at the premises boundary.

16/01029/FUL



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