

**12/00630/FUL****CONSTRUCT SINGLE STOREY PITCHED ROOFED OUT BUILDING FOR USE AS A DOG GROOMING PARLOUR BUSINESS****17 SHEERING COURT RAYLEIGH****APPLICANT: MS SARAH CLIFFORD****ZONING: RESIDENTIAL****PARISH: RAYLEIGH TOWN COUNCIL****WARD: SWEYNE PARK**

In accordance with the agreed procedure this item is reported to this meeting for consideration.

This application was included in Weekly List no. 1162 requiring notification of referrals to the Head of Planning and Transportation by 1.00 pm on Wednesday, 5 December 2012, with any applications being referred to this meeting of the Committee. The item was referred by Cllr Mrs J A Mockford.

The item that was referred is appended as it appeared in the Weekly List, together with a plan.

**1 NOTES**

- 1.1 Planning permission is sought to construct a single storey out building for use as a dog grooming parlour business. The site is located within Sheering Court, a courtyard style development located on the southern side of Tendering Avenue. No 17 is accessed from Sheering Court, but the property is clearly visible from Tendering Avenue with a walled boundary running along the footpath of Tendering Avenue. The site currently contains a detached dwelling, a hard standing patio area and shed. The shared boundary with No. 16 is screened by trees and vegetation. The northern boundary has a boundary wall and planting helps to obscure the view of properties on Tendering Avenue.

The Proposal

- 1.2 The application proposes to construct a single storey pitched roof out building for use as a dog grooming parlour.

- 1.3 The proposed out building would be located on the southern boundary immediately next to the side elevation of No. 16 Sheering Court; a distance of 0.55m would be maintained between the proposed side elevation of the out building and the side elevation of No. 16. The proposed building would be 5.02m in length and 3m wide, a projecting canopy would protrude a further 1m. The proposed building would have three windows to the north elevation and double doors to the front facing the dwelling.

## **2 RELEVANT PLANNING HISTORY**

- 2.1 No planning history can be found for the property.

## **3 CONSULTATIONS AND REPRESENTATIONS**

- 3.1 RAYLEIGH TOWN COUNCIL: Object to this application as it does not support commercial activity from a residential premises.
- 3.2 ESSEX COUNTY COUNCIL HIGHWAYS: the Highways Authority does not wish to raise an objection to the proposal as it is not contrary to policies.
- 3.3 ENVIRONMENTAL HEALTH: No adverse comments in respect of this application, subject to the Standard Informative SI16 (Control of Nuisances) and a scheme of noise insulation for the building should be submitted to and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purpose, being attached to any consent granted.

## **4 MATERIAL PLANNING CONSIDERATIONS**

- 4.1 The proposed out building would be used as a dog grooming parlour, which is sui generis according to the Land Gazetteer 2nd Edition (1997).
- 4.2 Due to the location of the proposed building it is considered that it would not give rise to a form of development that would be detrimental to the property or residential area. The out building is relatively small in size and has the appearance of a summer house. The building is single storey and therefore is not considered to cause overlooking to any neighbouring property.
- 4.3 Due to the nature of the business, the proposal gives rise to potential increase in noise and disturbance from the care of dogs in relation to the residential amenity and quality of life of the surrounding neighbours. Although the design and access statement does not state how many dogs would be on site or groomed each day, on clarification with the applicant it was stated that a maximum of two dogs would only be groomed at any one time and up to 7 dogs would be groomed each day.

- 4.4 The applicant has stated that the opening hours would be 9am to 5pm Monday to Fridays and 9am to 3pm on Saturdays; the parlour would not operate on Sundays or Bank Holidays and would operate with one member of staff. It is considered that these times are appropriate and would cause minimal disturbance to occupants in neighbouring properties.
- 4.5 Due to the nature of this small scale business and size of the out building, it is thought that it would not be able to accommodate lots of animals at any one time and would not be a boarding/kennelling service.
- 4.6 No neighbourhood objections have been received in conjunction with the proposed application and the Head of Environmental Services raises no objections, subject to conditions being attached. Any permission granted would need to consider a condition be added to the consent, which stipulates a scheme of noise insulation should be used. Such a condition would help to safeguard neighbouring residents from unreasonable noise and disturbance.

#### PARKING

- 4.7 The design and access statement submitted states that Sheering Court has 17 parking spaces not specifically allocated. However, one space is used by the occupant of No. 17 Sheering Court.
- 4.8 It should be noted that the property is close to bus stops on Bardfield Way, which include a number of bus routes.
- 4.9 Given the small scale nature of the business and one client being on site at any one time, it is felt that additional spaces would not be necessary. In addition, it is noticeable that on street parking is available on Tendering Avenue; as such, parking would be possible on street, if necessary. Given the limited number of cars likely to visit the site at any one time, it is not thought that additional cars seeking parking in the area is likely to make a radical change to the road conditions in the area or reduce parking space available for residents of the other residential properties, which may also park on street. However, due to the parking and amenity considerations it is considered that operating hours should be imposed in order so as not to cause nuisances to residents.

## 5 RECOMMENDATION

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

That planning permission be granted, subject to the following conditions:-

- (1) SC4B – Time limits full standard
- (2) The business use hereby permitted shall not open to customers outside the hours of:-

0900 - 1800 hours Monday to Saturday

The business use shall not operate at all on Sundays, Bank or public holidays.

- (3) The development hereby permitted shall only be used as a dog grooming parlour by the occupants of 17 Sheering Court and for no other purpose.
- (4) The external facing materials (including for windows and doors) to be used in the construction of the development hereby permitted shall be those materials specified on the application form date stamped 16 October 2012 submitted in relation to the development hereby permitted, unless alternative materials are proposed. Where alternative materials are to be used, no development shall commence before details of those alternative external facing (including windows and doors) and roofing materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where materials other than those materials specified on the application form date stamped 16 October 2012 are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.
- (5) A scheme of noise insulation for the building should be submitted to and agreed in writing with the Local Planning Authority. Such agreed works shall be fully implemented prior to the commencement of any use hereby permitted and shall be maintained in the approved form while the premises are in use for the permitted purposes.



Shaun Scrutton

Head of Planning and Transportation

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### Relevant Development Plan Policies and Proposals

Rochford Parking Standards - Design and Good Practice Supplementary Planning Document adopted December 2010. Based on Parking Standards Design and Good Practice.

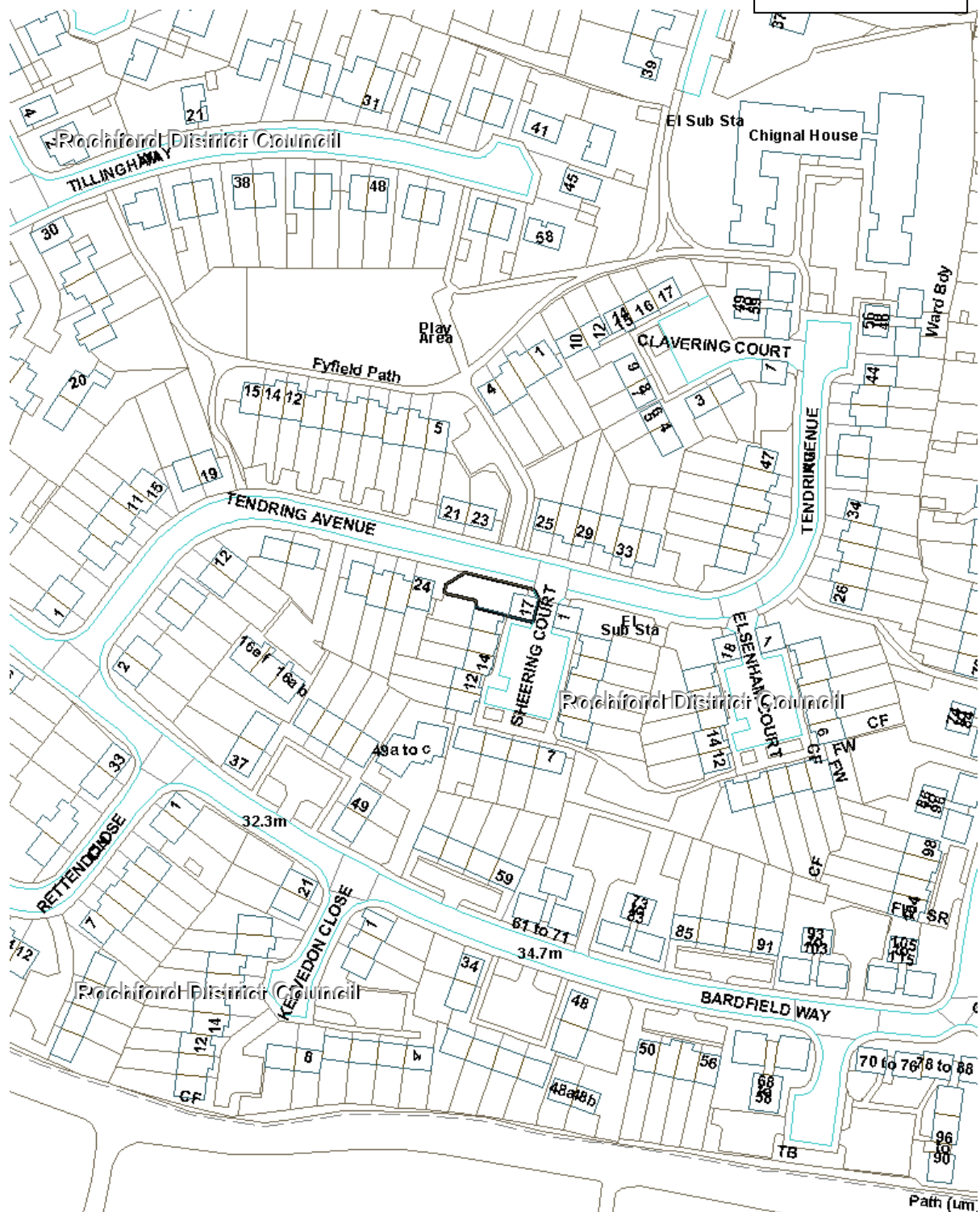
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