
15/00463/FUL

SITE OF 57 TO 61 HIGH STREET RAYLEIGH

AMALGAMATION OF NOS. 57 AND 59 TO CREATE A LARGER RETAIL UNIT AND FOR THE CHANGE OF USE OF NO. 61 FROM A2 (FINANCIAL AND PROFESSIONAL SERVICES) TO A3 (RESTAURANTS AND CAFÉS).

APPLICANT: D & A (2119) LIMITED

ZONING: TOWN CENTRE, PRIMARY SHOPPING

PARISH: RAYLEIGH TOWN COUNCIL

WARD: WHEATLEY

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

This application was included in Weekly List No.1298 requiring notification of referrals to the Director by 1.00 pm on Wednesday, 26 August 2015 with any applications being referred to this meeting of the Committee. The item was referred by Cllr J L Lawmon.

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

1 NOTES

- 1.1 The property is a purpose built two storey retail development and currently occupied by Elliot and Smith Estate Agents (No. 57), New Look (No. 59) and the Santander Bank (No. 61). The site features a large service yard to the rear accessed from Websters Way.
- 1.2 The applicant states that the current lease is shortly to expire and it is proposed to amalgamate Nos. 57 and 59 to create a larger retail unit and to obtain an A3 use for No. 61. The landlord contends that this will make the units more marketable for long term tenancies. The applicant wishes to emphasise that, at present, there is no particular tenant in view for A3 use at No. 61. Separate applications will be made for proposed signage and/or extraction fans once tenants are known.
- 1.3 In combining Nos. 57 and 59 both existing staircases will be removed to maximise the sales area.

A new staircase is proposed at the rear of the property connected to the front first floor storage and ancillary area by a new first floor link corridor over the existing flat roof of the ground floor projection. This would project 1.3m above the existing tiled area to the rear of the ground floor projection. The side of the corridor would be clad in vertical red tiles. At ground floor level an existing door to the rear of No. 57, located within a recess, would be bricked in. A single door to the rear of No. 61 would be enlarged to a width of 1.6m to match the door to No. 59.

- 1.4 There will be minor alterations to the High Street frontage. The existing entrance doors to No. 57 would be removed and infilled with a display window to match the existing windows. The doors to Nos. 59 and 61 would be replaced with new painted timber recessed doors. Apart from these minor alterations the façade would be unaltered.

2 PLANNING HISTORY (since the 1990s)

- 2.1 F/0300/91/ROC Renewal of Time Limited Permission Reference ROC/791/85 for Demolition and Re-development to Provide Part 2 Storey, Part Single Storey Development of 2 Shops and 1 Building Society. Approved.
- 2.2 Subsequent applications relate to advertisement consent and shop front alterations.

3 MATERIAL CONSIDERATIONS

Change of Use

- 3.1 The site is within the Primary Shopping Frontage Area of Rayleigh.
- 3.2 Policy DM34 of the Development Management Plan relates to town centre shopping frontages. The change of use of shopping frontages for non retail purposes (in particular A3 use), which make a positive contribution to the vibrancy and vitality of the town centres will be permitted provided that the proposal would:-
- i. Not have a detrimental impact on, or undermine, the predominance of A1 uses, both within the town centre as a whole and within the primary shopping frontage;
 - ii. Not create a cluster of similar non A1 uses of the same use class within a locality that undermines the retail character of the town centre; and
 - iii. Entail the provision of a non A1 use which is considered to positively contribute to the overall offer and encourage people into the town centre.
- 3.3 Draft Policy 3 of the Rayleigh Draft Area Action Plan considers that proposals for A1 uses would be acceptable and that a proposed change in use for non retail purposes will be acceptable provided it meets the relevant criteria.

Draft policy 7(2) requires that in accordance with policy 3, shopping frontages should be a mix of retail (A1) and other appropriate town centre uses, including leisure and community facilities.

- 3.4 The proposed alterations are to create a larger retail unit combining Nos. 57 and 59 and to change the use of No. 61 from A2 to A3. As the proposals do not involve any change from an existing retail use to a non retail use no retail frontage would be lost. The applicant has stated that the proposals have no specific tenants in mind and it may not be the case that the unit at No. 61, presently occupied by Santander Bank, will eventually become an A3 use. An A3 (restaurant) use would not result in a cluster of similar non A1 uses within the locality and would be a use appropriate to the town centre location.
- 3.5 The internal re-development of Nos. 57 and 59 would remove some internal walls, staircases and corridor resulting in a small (16m²) increase in tradable floor space.
- 3.6 As there remains an ambiguity over the potential occupiers for the proposed A3 use it is considered necessary to impose a condition relating to opening hours as without such a control the occupier could operate around the clock. In determining the application for Pizza Express, a change from A1 to A3 use at 91 High Street, a condition was imposed preventing A3 usage outside 1000 to 2330 hours (reference: 14/00875/FUL). A similar condition is duly recommended.
- 3.7 The A3 use would require a mechanical air extraction system and a condition requiring details of such a system is recommended.

Conservation Area

- 3.8 The site is also located within the Rayleigh Conservation Area. The Rayleigh Conservation Area Appraisal and Management Plan describes the building: 'a good traditional gabled design of this sort would fit well in the average market town high street; here it looks slightly out of place surrounded by 1960s buildings. The red brick may not also have been the best choice in a street where stocks and flettons predominate'.
- 3.9 The Council's Conservation Area Adviser notes that the proposed alterations are minimal in their nature and would not alter the contribution that the building makes to the Conservation Area. Similarly, the adviser notes that the rear corridor will be virtually hidden from view from Websters Way and will not further exacerbate the visually unappealing and intrusive nature of the rear aspect of these buildings. The adviser recommends approval for the development.
- 3.10 Officers concur that the minor external alterations would have no adverse visual impact on the character of the locality.

Other Issues

- 3.11 The proposed changes would have no impact on the service area to the rear of the site, which has direct access from Websters Way; this contains five parking spaces, as well as space for deliveries. Prospective customers could make use of the existing Council owned car parks in Rayleigh town centre or the available public transport network. It is not considered necessary or reasonable to require any customer parking provision on site.
- 3.12 Separate applications would normally be required for proposed signage and/or external lighting.

Conclusion

- 3.13 The proposal would be compliant with policy requirements.

4 REPRESENTATIONS

- 4.1 RAYLEIGH TOWN COUNCIL - Objects to this application due to the loss of retail/service space.
- 4.2 ECC HISTORIC BUILDINGS/CONSERVATION AREAS - The proposed alterations to the front elevation are minimal in their nature; certainly they will not alter the contribution which the building will make to the Conservation Area. Similarly, the glazed corridor will be virtually hidden from view from Websters Way, and will certainly not further exacerbate the visually unappealing and intrusive nature of the rear aspect of these buildings.
- 4.3 Similarly, I can see no objection from a conservation perspective to the proposed change of use.
- 4.4 As such, I have no objection to the application and would recommend approval.
- 4.5 NEIGHBOURS - The following representations have been made:-
- 4.6 57 Cheapside West - already over 60 restaurants, pubs, cafés and takeaways in Rayleigh, I can think of no justification for granting planning permission for another one, particularly when it means the loss of a bank.
- 4.7 58A High Street - The flat we rent does not have double glazing. We can already hear the noise at 3.00 am on Friday and Saturday nights, and to have work going on during the day as well when working shift work the night before could prove even more of an interruption. How long would the work be going on, and at what times during the day, please? Thanks in advance. 54 High Street - There is not enough information on what kind of restaurant it would be, i.e., fast food, fine dining or coffee shop and so on. We would like to know more about this upcoming restaurant so we could also plan ahead for our business future.

There are now a lot of restaurants in the high street. In this perspective, it would definitely affect small businesses like ours, as this is our only source of living. We are just a small business owner, making money enough to keep the trade going and providing our staff with income. If this is going to be a fast food business, surely it will have a massive effect on us. If this is going to be a dining in restaurant which opens until late, there are already a lot of them out there. The high street at night becomes noisy considering there are people and family residing above most of the shops, causing disturbance and nuisance at night. Drunk people sometimes can become a problem, causing fights, loud noise, even a hazard to motorists. The character of Rayleigh is now becoming more of a food place rather than a mixture of retail and food area. For a small High Street like Rayleigh to remain viable we need a mix of retail shops, not another restaurant. I am certainly against this planning application.

5 RECOMMENDATION

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

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

- (1) Time Limits Full - Standard
- (2) The materials shall match the existing parts of the building or site and/or be those materials specified on the plans and application form 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 materials to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Where other materials are agreed in writing by the Local Planning Authority, the materials agreed shall be those used in the development hereby permitted.
- (3) The A3 use of the site hereby permitted shall not take place (whether or not open to customers) outside 1000 to 2330 hours.
- (4) Before the A3 use hereby permitted commences at the site details of the proposed extraction equipment to be installed at the site, including details of the external finish/colour, shall be submitted to and approved in writing by the Local Planning Authority. The equipment as approved shall then be installed at the site prior to the use hereby permitted first commencing and retained at the site thereafter in accordance with the agreed drawings at all times.



Shaun Scrutton

Director

Relevant Development Plan Policies and Proposals

Core Strategy (2011): CP1, CP2, RTC1, RTC4

Development Management Plan (2014): DM1, DM34, DM30

Rayleigh Centre Area Action Plan Submission Document (2013) (unadopted).

Rayleigh Conservation Area Appraisal and Management Plan (2007)

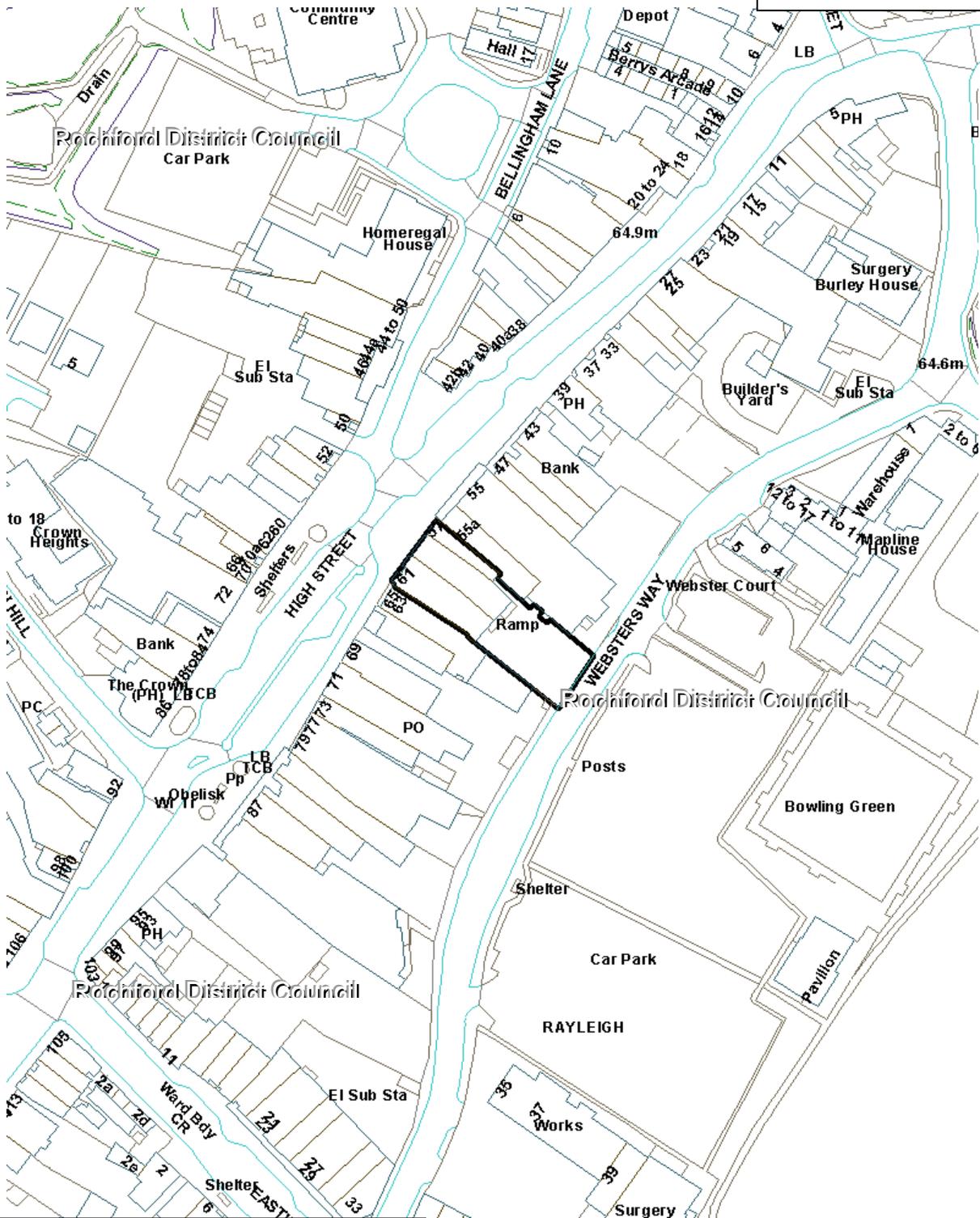
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