

UTT/15/0740/FUL – GREAT DUNMOW

Referred to Committee by Cllr Graham Barker: Concerns raised by businesses neighbouring the above site. Concerns raised that parking would not be adequate, resulting in overflow onto the road. Additionally, concerns were raised about the number of extra movements generated by the gym/physio.

PROPOSAL: Change of use from B2 Light Industrial to D2 Assembly and Leisure.

LOCATION: Unit 4, Zone A, Chelmsford Road Industrial Estate, Great Dunmow

APPLICANT: Mr Oliver Pemberton

EXPIRY DATE: 7th May 2015

CASE OFFICER: Lindsay Trevillian

1. NOTATION

1.1 Within development limits, Great Dunmow employment area.

2. DESCRIPTION OF SITE

2.1 The application site as outlined in red on the submitted block plan is located within the Chelmsford Road Industrial Estate within the town of Great Dunmow. Specifically the site is located along the northern boundary of the estate backing onto the residential properties located within Buckingham Court.

2.2 Located on the site is a modest size two bay double storey building externally finished from galvanised metal sheeting. The building is currently vacant although it has a lawful B2 (light industrial) use. Ancillary off street parking is located on the hard standing area to the front and side of the building.

3. PROPOSAL

3.1 Planning permission is sought for the change of use from of part of the existing building from B2 (light industrial) to D2 (assembly and leisure) for the purposes of using the building as a gymnasium. The existing building is split into two bays and the proposed application only relates to bay 1.

3.2 The proposed change of use would not result in any external alterations to the building. The internally layout would generally remain the same however some small changes would be needed to bring the building up to the required specification to accommodate the new use.

3.3 The proposal entails a small gym that will have a maximum of 4 clients at any one time that will be used for one to one personal or group training sessions. It is proposed that clients would book on-line prior to the session to ensure that sessions are not overbooked and thereby restricting the number of people using the facility at any one time. It is also proposed to sell and distribute health and medical products ancillary to the gymnasium.

- 3.4 The proposed opening times for the gymnasium would be 6:30am to 9:30pm on weekdays and 7:30am to 12:30pm on weekends and bank holidays. The equivalent numbers of staff employed would be 6. A total of 19 off street vehicle spaces have been provided.

4. APPLICANT'S CASE

- 4.1 Along with the submitted application form and relevant plans, the applicant has provided a planning statement in support of a planning application to illustrate the process that has led to the development proposal, and to explain and justify the proposal in a structured way.
- 4.2 The applicant concludes that the floor space and layout of the unit is ideal for the proposed business and that it would also be able to provide sufficient parking for staff and clients. In addition it would re-vitalise a current disused unit and would not result in harm to amenities.

5. RELEVANT SITE HISTORY

- 5.1 UTT/0469/76 - Proposed building offices warehousing and printing to serve M & B (Felsted) Ltd (approved with conditions)
- 5.2 UTT/0448/82 - Proposed addition (approved with conditions)

6. POLICIES

6.1 National Policies

Nation Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

Policy S1 – Settlement Boundaries for the Main Urban Areas
Policy GEN1 - Access
Policy GEN2 – Design
Policy GEN4 – Good Neighbourliness
Policy GEN8 – Vehicle Parking Standards
Policy E2 – Safeguarding Employment Land
Policy GD7 – Safeguarding of Existing Employment Areas

6.3 Supplementary Planning Documents

ECC Parking Standards (September 2009)
Uttlesford Local Residential Parking Standards (February 2013)

7. TOWN COUNCIL COMMENTS

- 7.1 Great Dunmow Town Council: - Supports the application.

8. CONSULTATIONS

- 8.1 There was no statutory requirement to consult internal or external consultees.

9. REPRESENTATIONS

9.1 The application was notified to 23 surrounding occupiers. One letter of objection was received at the time of writing this report. The concerns raised are summarised below:

- The parking around the industrial estate is already at breaking point and the proposal for a gym would compound the issue resulting in traffic congestion on surrounding highways.

10. APPRAISAL

10.1 The issue to consider in the determination of the application is:

- A Whether the principle of the development is appropriate (ULP S1, E2, GD7 and the NPPF);
- B Whether the design and appearance of the proposal is appropriate (ULP Policy GEN2 and the NPPF);
- C Impact on neighbouring amenities (ULP Policies GEN2 & GEN4)
- D Highway safety and parking (ULP Polices GEN1, GEN8 and NPPF)

A Whether the principle of the development is appropriate (ULP S1, GD7, E2 and the NPPF);

10.2 Great Dunmow is considered to be a principle centre within Councils town centre hierarchy sequence. Chelmsford Road Industrial Estate is recognised as a key employment area defined within local policy GD7 and comprises a range of employment uses ranging from offices, light industrial and storage and distribution centres.

10.3 Paragraph 22 of the NPPF states that planning policies should avoid long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purposes. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals to support sustainable local communities.

10.4 Local policy E2 states that key employment areas as identified on local plan maps over 1 hectare in size within main urban areas such as Great Dunmow will be safeguarded from redevelopment or change of use to other land uses.

10.5 The applicant has provided evidence that the business unit has been marketed for sale and let since February 2014 from an estate agent. Although not a statutory declaration in itself, the statement provided does state that eighteen separate viewings have taken place since the property was on the market without any great success. The main feedback from potential occupiers was that the property provided an inappropriate layout as it had too much office space compared to the available area for storage or industrial purposes.

10.7 As such it is considered that sufficient evidence has been demonstrated that there is not a reasonable prospect to retain the site for the purposes to provide employment to sustain light industrial use.

10.8 The proposed change of use is considered to be minor in this instance and not a large scale development.

10.9 It would maintain employment within the site although be it in a different use and it ensure that the vitality and viability of the industrial estate and the town of Great

Dunmow is sustained. In addition it would prevent any dead frontage throughout the day preventing any anti-social behaviour.

10.10 Furthermore, the proposed change of use is of one that is of a sustainable development and within a sustainable location. When considered in the round, against the three-stranded definition in the Framework, the proposal would comply with the economic, social and environmental dimensions to sustainable development.

B Whether the design and appearance of the proposal is appropriate (ULP Policy GEN2 and the NPPF);

10.11 As there are no external alterations proposed to the building to accommodate the proposed change of use, there would not be a material change in circumstances from those of existing conditions in relation to the appearance of the building.

10.12 As such the proposed change of use would not result in harm to the character and appearance of the surrounding locality and thereby is in accordance with local policy GEN2.

C Impact on neighbouring amenities (ULP Policies GEN2 & GEN4)

10.13 Due consideration has been given in relation to the potential harm upon the amenities of adjoining property occupiers in accordance with policies GEN2 and GEN4 of the Local Plan.

10.14 In terms of noise and disturbance it is noted that music would be played throughout the sessions however it is considered that the noise generated from the new use would be less of a hindrance in relation to the current lawful light industrial use upon the amenities of adjoining property occupiers. The same opinion is made with noise and disturbance generated from vehicle coming and going from the site. Although there might be more traffic due to the new use, it would not involve heavy goods vehicles if the building remained in its existing use.

10.15 It is considered that no excessive harm would come about as a result of the proposed use and as such it would be in accordance with policies GEN2 and GEN4 of the local plan.

D Highway safety and parking (ULP Policy GEN1 & GEN8)

10.16 As a result of the proposed change of use the adopted parking standards states that a maximum of 4 off street vehicle spaces would be required for the remaining light industrial unit within bay 2 of the existing building and 25 spaces for the gymnasium. The maximum total would therefore be 29 off street vehicle spaces. 19 spaces are proposed to accommodate both uses.

10.17 It should be noted that this is a maximum requirement and not a minimum. Given the site's sustainable location and taking into consideration the business plan of the proposal, it is considered that there is sufficient off street parking to accommodate both uses within the building as to avoid any overspill onto surrounding highways. As such it is considered that there would be no excessive harm in terms of highways safety and that the proposal is in accordance with policies GEN1 and GEN8 of the Local Plan.

11. CONCLUSION

11.1 The following is a summary of the main reasons for the recommendation:

- A The principle of the proposal is acceptable in that the new use would still provide opportunities for local employment although be it of a different use and it would ensure that the vitality and viability of the industrial estate and the town of Great Dunmow is sustained.
- B The proposal would cause no harm to the design and appearance of the existing building, the street scene and the surrounding area.
- C The proposal would not result in excessive harm to the amenities enjoyed by adjoining property occupiers.
- D Sufficient off street parking has been provided as not to result in an excessive overspill onto surrounding highways. There would be no harm to highway safety as a result of the proposal.

12. RECOMMENDATION – CONDITIONAL APPROVAL

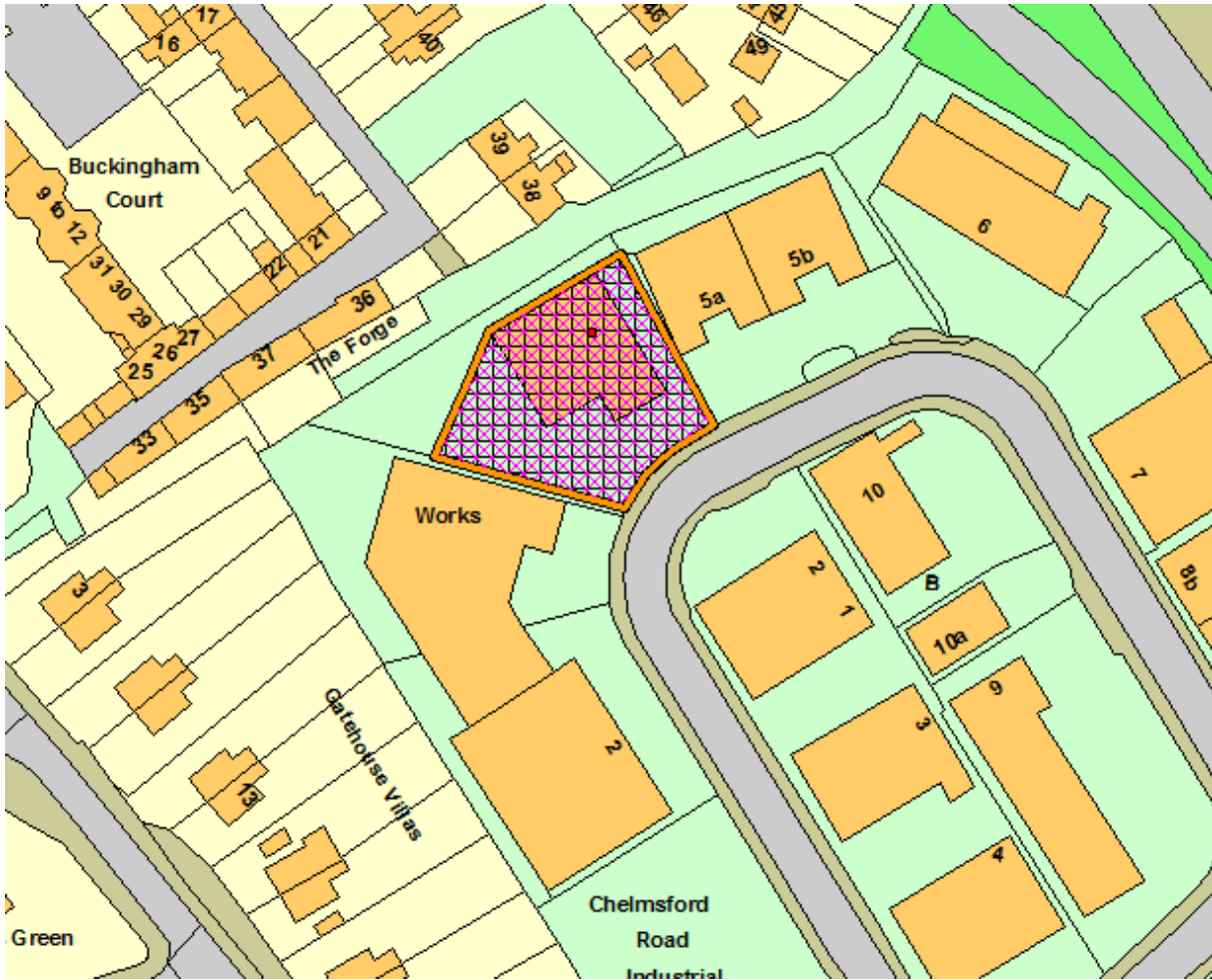
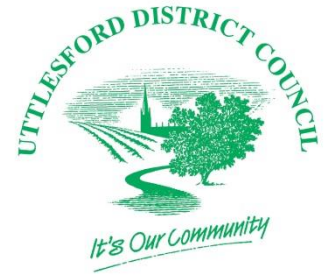
Conditions/reasons:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

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.

Application no.: UTT/15/0740/FUL

Address: Unit4, Zone A Chelmsford Road Industrial Estate, Dunmow



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Organisation: Uttlesford District Council

Department: Planning

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