

Ref BH2018/00224 56 Church Road Hove
Councillor: Andrew Wealls

Please note my objection to application BH2018/00224
I draw your attention to three specific statements set out in the applicant's
Planning Statement;

'4.10 Policy QD27 states that planning permission for a change of use will not be granted where it would cause material nuisance and loss of amenity to neighbouring residents.'

Access to the premises is via Albert Mews, a narrow single car width alley. This alleyway is to the rear of Airlie House and Grand Avenue Mansions. The activities proposed at the site are groups activities, which means arrival and exit from the site will tend to be in large groups. They will undoubtedly create noise and therefore negatively impact the amenity of neighbouring properties, many of which have bedrooms overlooking Albert Mews. This will be in addition to any car movements. Albert Mews is narrow, there is no opportunity to turn safely and so inappropriate for any pick up and drop off use. Any music which accompanies group exercise activity is likely to be audible to neighbouring residents. Without air conditioning, it is likely windows and the main door will be open especially during summer months, substantially increasing the risk of noise nuisance to neighbours.

'5.4 The proposed studio would not include activities or equipment more commonly associated with a gym such as weights, running machines, rowing machines, cross trainers or spin classes. No air conditioning is required or proposed as part of the proposed use. Given the calm nature of the activities to be carried out at the studio, there would be no harm to residential amenity from noise or vibration. As such, an Acoustic Assessment has not been carried out. Any concerns about noise being generated by visitors arriving or leaving the studio could be addressed by a planning condition which avoids opening during anti-social hours (e.g. 21:00 to 08:00).'

Whilst the current proposal is for a restricted set of uses the application is for a full change of use to Fitness Studio (D2). The previous application described D2 use as 'gymnasium'. D2 use is legally described as; 'D2 Assembly and leisure - Cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations'.

By granting this application, there would be no guarantee that the uses described in the applicant's Planning Statement that only activities of a 'calm nature' would be carried out there. Again the potential for noise associated with group exercise classes is of considerable concern, in spite of the Planning Statement's undertaking.

'6.3 The studio would be used for exercise classes such as yoga, pilates and tai chi but would not include gym equipment such as weights, running/rowing

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machines or cross trainers. The concerns raised in response to the previous application for prior approval for a change of use to a gym (BH2017/03245) relating to noise disturbance are therefore no longer relevant.'

The concerns set out with regard to gym use are entirely applicable. Indeed with group class activity, the arrival and departure of groups of substantial size is likely to cause noise nuisance. Whilst yoga, tai-chi and pilates are not noisy activities, there is no way in which a guarantee can be assured that noisy group classes such as Zumba etc would not be held. It could be possible to place a restriction on the playing of recorded so that none is allowed, which may eliminate this specific risk.

Reduced allowed opening times may help too.