

Application No: 11/3397M

Location: THE BANDSTAND AT ALDERLEY EDGE PARK, RYLEYS LANE,
ALDERLEY EDGE, CHESHIRE

Proposal: Change of Use. Conversion of Existing Bandstand into Cafe.

Applicant: Friends of the Park

Expiry Date: 20-Dec-2011

Date Report Prepared: 5 March 2012

SUMMARY RECOMMENDATION

Approve subject to conditions.

MAIN ISSUES

- Impact on the character and appearance of Alderley Edge Park;
- Whether the proposal will affect the Existing Open Space;
- Impact on residential amenity.

REASON FOR REPORT

The application site is on Council owned land. In accordance with the Council's constitution as we have received objections to the proposal, the application needs to be considered by Committee.

DESCRIPTION OF SITE AND CONTEXT

This application relates to an existing bandstand located centrally within Alderley Edge Park. The site is located in a prominent position adjacent to two main access routes through the park, and is in close proximity to a children's park, bowling green and tennis courts.

The site is in close proximity to Alderley Edge Village Centre and is designated in the Local Plan as Existing Open Space.

DETAILS OF PROPOSAL

Planning approval is sought to convert the existing bandstand into a café with associated decked area, with external seating.

RELEVANT HISTORY

There is no site history relevant to the determination of this proposal.

POLICIES

Regional Spatial Strategy

Local Plan Policy

RT1 Open Space
BE1 Design Guidance
DC1 New Build
DC2 Extensions and Alterations
DC3 Amenity
DC5 Natural Surveillance
DC6 Circulation and Access
DC9 Tree Protection
DC54 Restaurants, Cafes and Hot Food Takeaways

Other Material Considerations

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation

CONSULTATIONS (External to Planning)

Leisure Services: No objection.

Environmental Health: No objection subject to conditions relating to hours of construction; hours of opening; and, kitchen extraction and odour abatement.

VIEWS OF THE PARISH / TOWN COUNCIL

Alderley Edge Parish Council – The Parish Council recommends refusal of this application due to their being no mains service to the bandstand, and due to the potential impact on the park during the construction process.

OTHER REPRESENTATIONS

Six representations have been received. The comments received are summarised as follows:

- There is no need for a café in this location due to close proximity to the village centre;
- no details have been submitted in respect of how the building will be serviced, or in respect of funding;
- the venture would not be financially viable and there is no provision for toilets;
- the proposal would lead to increased abuse and damage already experienced to other areas of the park which would be further exacerbated during the winter months due to a lack of custom; and
- the café would spoil the appearance of the park.

APPLICANT'S SUPPORTING INFORMATION

A Design and Access Statement has been submitted with the application. A full copy of this document can be seen on the application file. Following request further details have been submitted in respect of service management. The details submitted are summarised as follows:

- Power, drainage and foul drainage services would be taken from the bowling pavilion where all services are already connected;
- The waste would be managed by the person running the café and would be an obligation under the terms of a lease;
- Large deliveries would be made once a week in the morning by using a small vehicle; small deliveries will be made by foot on a daily basis;

- All kitchen ventilation and extraction will be confirmed with environmental health, and will comply with health and safety legislation;

OFFICER APPRAISAL

Policy

Local Plan policy RT1 advises that the redevelopment of a building footprint which does not harm the integrity of the open space will normally be permitted. The proposal is therefore considered acceptable in principle.

Integrity of open space

This application seeks to enclose the existing bandstand and provide an external seating area. The bandstand in its current form is not fundamental to the 'openness' of the park. It is considered that its conversion would not harm the integrity of the open space in any way.

Sustainability and use

Positioned within the Village centre, the application site is positioned close to main bus and rail links.

The site is easily accessible from various points within the park. It is flat and provision has been made for disabled uses in the form of an access ramp and disabled toilets.

Design

The proposed café enclosure will utilise the existing structure of the bandstand. The timber columns, roof structure and concrete base are to be retained. Full height aluminium framed glass and sliding doors would for the most part enclose the existing structure, with vertical timber boarding proposed to the north east corner.

The main entrance to the café would be orientated to the south which faces the bowling green and has the most open aspect to the park. The scale and mass of the existing bandstand would remain unchanged. The proposed decked area would extend above existing hardstanding and is not considered excessive in scale. Careful consideration has been given the use of materials and the level of glazing proposed, which retains a degree of openness to the site.

The design and scale of the proposed development is considered to respect the form, layout and siting of the existing structure and surrounding area and is considered to accord with the objectives of Local Plan policies BE1, DC1 and DC2.

Impact on the character of the park

The provision of a small café within the park is considered to create a positive addition to the park that would encourage additional visitors, and may increase in the number of visitors to the Village, which would have a positive effect on the local economy.

As the bandstand has limited use, it is considered that its conversion would bring about a more beneficial use for the structure.

The development is not considered to harm the character or appearance of the park, and would bring a complimentary use to the park.

Amenity

The closest residential dwelling is positioned in excess of 80m away from the application site. Nearby properties are substantially screened by mature trees to the perimeter of the park. It has been stipulated that the hours of opening for the café will be 10am – 6pm. In order to prevent the café being used during unsociable hours it is recommended that a condition to restrict the opening hours should be applied.

No objection has been raised by Environmental Heath, however, it is advised that a scheme for the acoustic enclosure of any fans, air conditioning, compressors or other equipment with the potential to create noise should be submitted and agreed in writing prior to the commencement of development. Similarly, details of any filtration and extraction systems to control the discharge of odours should also be submitted and agreed prior to commencement of development.

Subject to the conditions outlined above, the proposed change of use would not be considered to lead to significant injury to the residential amenity of nearby properties by virtue of loss of privacy or increased noise and disturbance.

Trees

There is a mature Cypress located to the west of the existing structure. Though this tree presents an additional mature tree aspect to the park, its overall amenity value is considered limited and would be classified as a Category C tree within BS5837:2005 Trees in Relation to Construction.

The development proposals are contained within the existing hard standing area, under which a small percentage of the adjacent Cypress tree root system would have developed. In order to ensure this tree is not compromised during the development process protective fencing will be required; and should be erected in accordance with current best practice. An Arboricultural Implication Study has not been submitted, nevertheless given the low value of this tree matters of tree protection can be dealt with through condition.

Other considerations

Concerns have been raised in respect of servicing and management of the facility. Poor servicing and waste management could have a negative impact on the visual amenity and overall enjoyment of the park.

The Council is not apposed to the principle of a café facility in the park, however it is essential that these outstanding matters are dealt with prior to the commencement of development and conditions should be applied accordingly.

Prior to commencement details in respect of how services such as power, water and foul drainage will be supplied to the building should be submitted; A waste management plan should be submitted and details of how stock will be delivered to the café should also be submitted.

Matters of viability are not planning concerns that can be taken into consideration during our assessment.

CONCLUSIONS AND REASON(S) FOR THE DECISION

This application relates to an existing bandstand located centrally within Alderely Edge Park. The site is designated as Existing Open Space and as such the impact on the integrity of the open space is a key consideration.

The proposed development would comprise enclosing an existing bandstand and constructing a decked area for outdoor seating. Taking account of the fact that the proposal would utilise an existing structure within the park and the café would provide an ancillary and complimentary service to existing facilities, it is not considered to cause harm to the integrity of the park.

The proposed development is considered to be of an acceptable design and furthermore, the proposal is not considered to lead to significant injury to the amenity nearby residential properties.

The proposed development is considered to adequately accord with the relevant policies of the Local Plan and a recommendation of approval subject to conditions is made.

Application for Full Planning

RECOMMENDATION:

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A22GR - Protection from noise during construction (hours of construction)
4. A13GR - Business hours (including Sundays) 10am - 6pm daily
5. A32HA - Submission of construction method statement
6. A19MC - Refuse storage facilities to be approved
7. A06EX - Materials as application
8. A02TR - Tree protection
9. Kitchen Extract and Odour Abatement
10. Filtration and Extraction Equipment
11. Submission of details in respect of services
12. Submission of details in respect of stock delivery

