

Application No: 14/5159M
Location: 85, CHAPEL LANE, WILMSLOW, SK9 5JH
Proposal: Two storey extension at rear to provide first floor rehearsal room with storage areas at ground floor
Applicant: Wilmslow Green Room Theatre
Expiry Date: 07-Jan-2015

Date Report Prepared: 01 July 2015

SUMMARY RECOMMENDATION

Refuse planning permission due to the adverse impact on the residential amenity of the occupiers of adjoining properties.

MAIN ISSUES:

- Scale, siting and design; and
- Amenity to neighbouring occupiers.

REASON FOR REPORT

This application has been called in to the Northern Planning Committee by Councillor Gary Barton. The application has been called in as this is a community asset in one of the secondary centres of Wilmslow. Wilmslow Town Council has indicated its support for the application because of the popularity of the Green Room as a community asset.

DESCRIPTION OF SITE AND CONTEXT

85, CHAPEL LANE, WILMSLOW, SK9 5JH has been running as a popular local armature dramatic theatre for many years. The theatre has 5 major productions per year lasting one week each, with an audience of approx. 70 people. The first production commences late September and the last in mid May. The ancillary activities include making costumes and properties, rehearsals, set construction, play readings, youth group, management meetings and social events.

The existing floor space of the armature dramatic theatre is 473 square meters. 47 square metres is to be demolished (the prefabricated store). 210 square metres of floor space is proposed resulting in a 163 square metre increase in floor space.

The site is 0.057 hectares including the frontage building along with the main theatre building. The building is an 'L' shaped building and currently extends approx. 43 meters in length and

26meters wide. The prefabricated scenery store to the rear will be demolished to accommodate the proposal. The store measures approx. 4.7m high by 7m long. The store is comprised of pebble dashed sides, a timber rear elevation and corrugated roof.

The site is situated in the predominantly residential area of Wilmslow in an existing shopping area as defined in the Macclesfield Borough Council Local Plan. Chapel Lane is comprised of a mixture of residential and commercial properties.

There is currently no on site parking spaces and there are no spaces proposed.

DETAILS OF PROPOSAL

Planning approval is sought for a two storey extension and single storey side extension at rear to provide first floor rehearsal room with storage areas at ground floor. The proposed two storey extension measures approx. 6.6meters high and 8.7meters long. The proposed single storey extension is approx. 3.4meters high and 16.9 meters long. The proposed ground floor will measure approx. 10.6 meters wide. The proposed elevation on the south boundary will run alongside the boundary line of number 7 South Oak Lane, the proposed north elevations will be approx. 2.1 meters from the boundary line and the east elevation will again run along the rear boundary line.

Performances are Monday – Friday 7-11pm and Saturday 7-11.45pm. Rehearsals/meeting are Monday to Friday 7-11pm, 10am-3pm Saturday and 12-11pm Sunday and bank holidays. Set construction is Monday – Friday 10am – 8pm, Saturday 10am – 3pm and Sunday and bank holidays 10am – 8pm.

The prefabricated store to the rear will be demolished to accommodate the proposal.

Relevant Planning History

There have been a number of applications related to the site stemming back to the late 1970s.

13/3342M First floor extension for rehearsal room (resubmission of 13/0860M) which was refused 01/10/13.

13/0860M First floor extension (rehearsal room). Refused 07/05/13. Dismissed at appeal 11/12/13

01/1092P, for a single-storey link extension between 85-87 Chapel Ln. Approved 26.06.2001.

98/0229P Canopy roof extension and internal and external alterations to theatre. Approved with conditions 02/04/98

81815P Scenery and props store. Approved with conditions 26/07/95

79901P Two storey side extension to theatre. Approved 11/01/95

77502P Single storey extension to theatre. Approved 29/06/94

42135P Conversion and extension of 85 and 87 Chapel Lane to form theatre and extension of 89 Chapel Lane. Approved 21/11/85

19280P Ground floor storeroom. Approved with condition 01/08/79

CONSULTATIONS

Environmental Health – The only concern in terms of noise control / noise containment was the openable roof windows to the proposed rehearsal room. It was discussed that the windows should be kept closed during rehearsals in order to avoid noise escape which may affect residents of nearby properties. As a consequence of keeping windows in a closed position, an alternative form of ventilation and cooling system would therefore be required to be installed within the rehearsal room – particularly in the warmer weather months - for internal comfort. If approved an air conditioning system would need to be installed to overcome the concerns. No objections were made from Environmental Health, subject to conditions and informatives related to: hours of noise generative activities during demolition and construction, hours of use and dust control.

Theatres Trust – Supports the application. The existing facilities limit the way the volunteers run theatre operates as a highly valued community and cultural facility.

Full consultee responses can be viewed on file.

PARISH/TOWN COUNCIL

Wilmslow Town Council raised no objections but requests we note the residents concerns.

REPRESENTATIONS

Thirty one letters of representation have been received in support of the application and seven letters of objection. A summary of the representations can be located below. The full representation letters can be viewed on file. It has been noted that the letters of objection are mainly from immediate neighbours and a large percentage of the letters of support are from members of the Armature Dramatic Theatre.

Support

- Enhances Wilmslow life and the community spirit with quality entertainment for the people of Wilmslow and the area enabling a social meeting place
- Result in a larger and more varied range of entertainment/productions
- Great asset for the local and wider community
- Would not impact upon the living conditions and general day to day activities of local people
- Current lack of space to rehearse resulting in it being difficult to operate
- Brick building planned is far more aesthetically acceptable than the concrete slab, metal and plastic roofed shed
- Messy waste land removed
- Provide improved flexibility
- Enabling easier and potentially increased hire facilities

- Workshop and storage space is in need of repair and improvement
- Any increased use of the premises will in general be outside peak traffic times in Chapel Lane
- Provides young community groups and the assistance in the development of younger persons
- No overshadowing or loss of outlook
- Increased footprint is only slight at ground floor level and the roof height not as significant as might be
- Adds value to the town of Wilmslow
- Only dedicated theatre in the area serving our community
- Businesses on Chapel Lane rely on the amount of passing trade
- Improvements for people with disabilities

Object

- Out of character with the surrounding area
- Gross overdevelopment in a mainly residential area
- Noise issues
- No off-the-road car parking facilities
- Loss of privacy
- Loss of amenities
- Light pollution
- The development impacts to the detriment of several surrounding properties
- Significant increase in footfall
- Incorrect location
- Local roads are heavily congested with heavy road traffic, narrow footpaths and parking that is always a problem
- The proposal will extend into gardens and green space
- Rehearsals to take place until 23.00 on weekdays and Sundays this will disturb neighbours
- The height of the new extension will take light from adjoining properties.
- No disabled access to the rehearsal space
- Overdeveloped - fourth extension to the Green Room facility in the last few decades
- Increased number of nights they will operate
- The 6 retail outlets that open until 9pm or later will not have anywhere for their customers to park
- Loss of view
- Loss of sunlight, overshadowing, general loss of light
- Visual impact

POLICIES

Macclesfield Borough Local Plan - saved policies

BE1 (Design principles for new developments)

DC1 (High quality design for new build)

DC2 (Design quality for extensions and alterations)

DC3 (Protection of the amenities of nearby residential properties)

DC6 (Highways Safety)
DC38 (Space light and privacy)
H13 (Protecting residential areas)
S4-17 (Local Shopping Centres)

The National Planning Policy Framework reinforces the system of statutory development plans. When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable 'full weight' to be given to Development Plan policies adopted under the 2004 Act. The Macclesfield Local Plan policies, although saved in accordance with the 2004 Act are not adopted under it. Consequently, following the guidance in paragraph 215, "*due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the framework, the greater the weight that may be given)*".

The Local Plan policies outlined above are all consistent with the NPPF and should therefore be given full weight.

Other Material Considerations

National Planning Policy Framework
National Planning Practice Guidance
Cheshire East Local Plan Strategy – Submission Version

OFFICER APPRAISAL

Planning approval is sought for a two storey extension and single storey side extension at rear to provide first floor rehearsal room with storage areas at ground floor.

The key issues relate to; 1) impact on neighbour amenity; 2) design/impact on the character and appearance of the area; 3) highways safety

Amenity

Policies DC3 and DC38 seek to protect the residential amenity of nearby properties having regard to space, light and privacy. The last two planning applications for this site have been refused (one dismissed at appeal), due to impact on neighbouring residential properties. The current proposal is in a different location than the previously refused applications, however the current proposal is considered to result in an overbearing affect and overdevelopment of the site. The site has been widely extended in the past, as the proposal is to reach and run along the east and south boundary line this will become overly dominant to its neighbours.

The current store to the rear of the theatre is approx. 4.7 meters high and the proposed extension is to be 6.6meters high, resulting in an approx. 1.9 meter increase (this is after revised plans were accepted reducing the overall height). This increase in height (and extension in length) will have a negative impact number 77 Chapel Lane who's first floor terrace will be approx. 12m from the proposed two storey extension resulting in the proposal being contrary to policies DC3 and DC38.

The new 8.7meter in length extension at 6.6m high will have a negative impact on the surrounding properties, specifically 5 and 7 South Oak Lane and 77, 79 and 81 Chapel Lane. The proposed extension will run parallel with number 7 South Oak Lanes boundary resulting in an overbearing effect.

Objections have been received on grounds of noise impact and disturbance. Taking into account the comments from the Environmental Health Officer, it is considered that a refusal on these grounds alone would not be justified. Conditions would be recommended to limit and control noise impact. These include an air conditioned system to ensure windows could be kept closed during rehearsals. The wording of such conditions would need careful consideration to ensure enforceability, in the of planning permission being granted.

Design/impact on the character and appearance of the area

The site is situated in the predominantly residential area of Wilmslow in an existing shopping area as defined in the Macclesfield Borough Council Local Plan. Chapel Lane is comprised of a mixture of residential and commercial properties. The theatre is currently in keeping with the area and therefore in accordance with policies BE1, DC1 and DC2.

Highways Safety

There are currently no on site parking spaces and there are no spaces proposed. The theatre at present seats approximately 70 people and the audience capacity is not changing. It is deemed there will not be a substantial increase in cars due to the extensions and therefore highways standards are acceptable.

Other Matters

Numerous letters of support have been received. It is evident that the proposal will enhance a valued community asset, and that carries some weight in favour of granting planning permission. However, the extension should not be allowed at the expense of a significant impact on the living conditions of the occupiers of adjoining property. It is not considered that the factors raised in support of the development carry sufficient weight to justify granting planning permission contrary to Development Plan policies which seek to protect residential amenity.

Issues regarding tidying up the site should carry very little weight in favour of granting planning permission.

CONCLUSIONS AND REASON(S) FOR THE DECISION

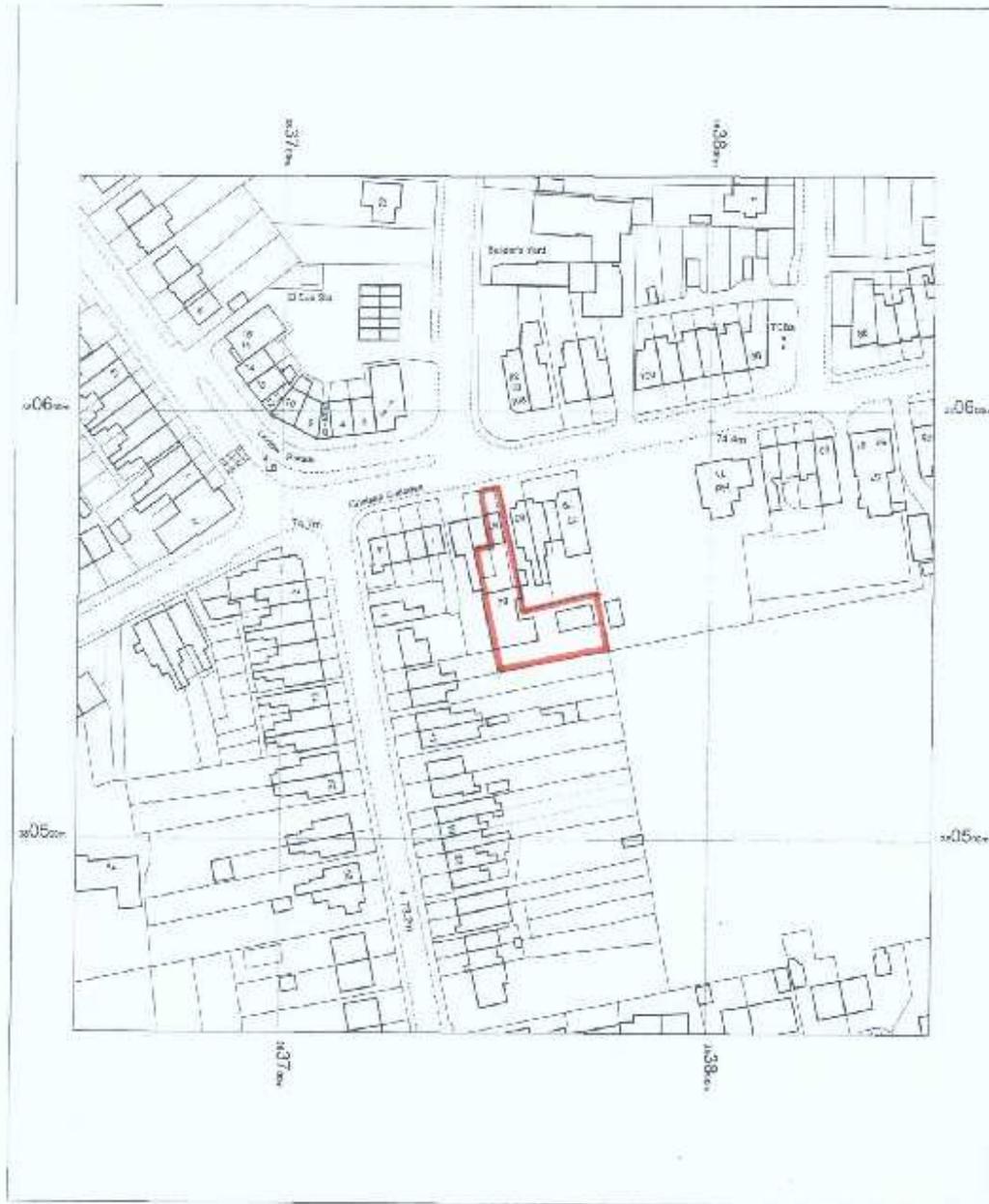
To conclude, whilst the letters of support have been carefully considered, the proposed development is deemed not to be in accordance with all relevant policies in the development plan and therefore recommended for refusal. The proposed is considered to be acceptable in terms of design and impact on the area and the social and cultural benefits are noted, as well as the site being in a sustainable location. With regards to neighbouring amenity the proposal

is considered to have a significant impact on numbers 5 and 7 south Oak Lane and 77, 79 and 81 Chapel Lane. As such the application is recommended for refusal.

Application for Full Planning

RECOMMENDATION: Refuse

- 1. The approval of the development proposed would be contrary to the provisions of the Development Control chapter of the Macclesfield Borough Local Plan, in particular policies DC3 and DC38 and would thereby cause harm to the objectives of those policies by virtue of the proposed being overbearing and overdevelopment of the land. The proposed would also be contrary to one of the core principles of the NPPF (securing a good standard of amenity for occupants of buildings), which is a material consideration in the determination of the application.**



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