
Appeal Decision

Site visit made on 31 May 2017

by David Murray BA (Hons) DMS MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 14 June 2017

Appeal Ref: APP/C1760/W/17/3169911

Plaza Theatre, 40 Winchester Road, Romsey, SO51 8JA.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Romsey Amateur Operatic and Dramatic Society against the decision of Test Valley Borough Council.
 - The application Ref. 16/02494/FULLS, dated 10 October 2016, was refused by notice dated 5 December 2016.
 - The development proposed is an extension to the rear of the existing building to increase the height to that of the existing main roof and to extend the main roof at the sides to cover the parapet with external guttering.
-

Decision

1. The appeal is allowed and planning permission is granted for an extension to the rear of the existing building to increase the height to that of the existing main roof and to extend the main roof at the sides to cover the parapet with external guttering, at the Plaza Theatre, 40 Winchester Road, Romsey, SO51 8JA, in accordance with the terms of the application, Ref. 16/02494/FULLS, dated 10 October 2016, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The external materials to be used in the construction of all external surfaces of the development hereby permitted shall match in type, colour and texture those used in the existing building.

Main Issues

2. The main issue is the effect of the proposed work on the houses and gardens of neighbouring properties, particularly No's 42 to 48 Winchester Road and the living conditions of the occupiers of these properties.

Reasons

Background

3. The Plaza Theatre, said to be built in the 1930s, occupies a substantial and imposing building with a rendered front elevation in an Art Deco design while the remainder of the elevations are mostly in brickwork with high parapet walls. The roof of the main building is in metal sheeting which stops short of the parapet of the side walls leaving an internal gutter. In plan form the rear of the building is staggered to enable access to a car park to the rear and the
-

north-facing elevation is also staggered in that the parts of the roof that cover the area to the rear of the stage, the access door and equipment areas, are of different forms and at a lower level than the main roof. It is proposed to rationalise the space in this area and increase its height and form a new roof at the same height as the main building. Further, in order to overcoming problems of roof leaks it is proposed to extend the main roof over the gap to the parapet wall and have external gutters along both main side elevations.

4. The theatre building is situated on the edge of the town centre of Romsey in an area of mixed development and to the east of the site lies a terrace of two storey residential properties. The property adjacent to the theatre is No.42 and the existing flank wall of the theatre building is almost on the party boundary and extends the whole length of this house and garden.

Policy background

5. The development plan includes the Council's Revised Local Plan (adopted in 2016) and within this the relevant policy is LHW4 which concerns 'amenity' and indicates that new development will be permitted provided (amongst other aspects) that in part (c) it does not reduce the levels of daylight and sunlight reaching the "...existing properties or private open space to below acceptable levels".

Effect on living conditions

6. In considering this issue, at the site visit I looked at the appeal site from the road frontage and from the land to the rear adjoining the rear gardens of Nos. 42 to 58 (even numbers) Winchester Road. I have also had regard to the photographs submitted by Dr Poole and Mr Franklin at No.48.
7. It is clear that the existing theatre building, has an imposing effect on the rear outlook and gardens of the terraced properties due to its height and length. This impact is shown on the copy of the elevation with the vertical 45° splays submitted by the Council.
8. Dealing with the issue of privacy first, there are no windows proposed in the east facing flank wall of the theatre and so the additional building work proposed would not lead to a loss of privacy for the occupiers of the adjacent houses.
9. Turning to the effect on the garden of No.42, I noted at the visit that this property has a substantial single storey extension/outbuilding that occupies much of the space of the rear garden. I also noted that because of the orientation of the site the existing bulk of the theatre building overshadows the garden from noon onwards and even the existing lower level of flank wall will cause overshadowing. Considering the relatively limited difference in building bulk now proposed I do not consider the change to the break up in the expanse of building would cause a material difference to the overbearing effect of the structure on the enjoyment of the garden of No.42.
10. The second reason for refusal concerns the effect on loss of light to the aspect from the rear first floor bedroom window of No. 42 and the rear ground floor window of No.44. In assessing the effect the Council has applied the horizontal 45° splay (put forward in British Research Establishment guidance as a rule of thumb) to the north-east corner of the theatre building. However, my reading of the way that the Council has used this technique is that it demonstrates that

all of properties 42 to 48 are already affected by a loss of light caused by the height and bulk of the existing building. I have therefore placed more weight on the differences in the vertical spays as drawn on the copy of the rear elevation as included in Appendix B to the Council's statement.

11. When the additional extension proposed is seen from the first floor window of No.42 the almost 'straight on' view means that the proportional increase will not be significant albeit that there will be some loss of view of the sky at a high level. In terms of the view from No.44 the impact of the work will be at more of an angle and I note that the aspect from the ground floor window in the main part of the original property is already restricted by the projection of the outrigger of the house. Similarly, the photographs of the 'before and after' viewed from the first floor window of No.48 are taken from an oblique angle looking out of the window and I judge that the effect on the overall outlook from this room would not be significant.
12. Considered in the round and bearing in mind the bulk and form of the existing theatre building, I do not consider that the proposed addition would result in a material reduction to the levels of daylight and sunlight reaching the existing properties and their gardens or reduce their outlook to an unacceptable level. I therefore find that the proposed extension would not conflict with the requirements of Policy LHW4.

Other matters

13. Local residents and bodies also raise concern about the effect of the work, including the changes to the roof where it meets the parapet wall, on the appearance of the existing theatre building. I considered these changes from the public realm along Winchester Road and the hinterland of the site. The main façade of the building in the street scene would not change although in longer distance views the top of the roof is seen because of the height and bulk of the building relative to surrounding development. The light cladding sheets on the roof are visible from ground level. I understand that there are maintenance and functional architectural reasons to extend the roof over the parapet walls and I am satisfied that this change will not significantly detract from the appearance of the building and the contribution this makes to the distinctiveness of the area.

Planning balance

14. On the main issue I have found that the extension of the theatre building as proposed would not have a materially harmful effect on the living conditions of the occupiers of houses close to the site and that the proposal meets the requirements of the development plan. The design of the work would also be sympathetic to the overall character of the building. I find that there are no other considerations that outweigh my conclusion that planning permission should be granted.
15. In terms of conditions, the Council recommends that a condition is imposed to ensure that the external surface of the additional work matches that of the existing building. It is reasonable and necessary to ensure that the overall appearance of the building is maintained subject to clarification that the external surface would be metal cladding rather than brickwork at this level. There is no objection in visual terms to the use of metal cladding on this rear part of the elevation.

Conclusion

16. For the reasons given above I conclude that the appeal should be allowed.

David Murray

INSPECTOR