

DELEGATED

AGENDA NO  
PLANNING COMMITTEE

17 February 2016

REPORT OF DIRECTOR,  
ECONOMIC GROWTH AND DEVELOPMENT  
SERVICES

15/2933/LBC

Courtyard Hotel & Georgian Theatre, Green Dragon Yard, Stockton-On-Tees  
Listed building application for alterations to ground and first floors of the Courtyard Hotel to form bar and associated facilities for the Georgian Theatre. The works will enable the bar to be used independently from the Georgian. External alterations include new feature, glazed, entrance staircase to Green Dragon Yard, lift shaft to rear and installation of new windows and doors.

Expiry Date 18th February 2016

**SUMMARY**

The application seeks Listed Building Consent for alterations to ground and first floors of the former Courtyard Hotel to form bar and associated facilities for the Georgian Theatre.

External alterations include new feature, glazed, entrance staircase to Green Dragon Yard, extension to rear and installation of new windows and doors.

The application is considered to be acceptable and will not have an adverse impact on the character, appearance or significance of either the grade II listed Courtyard (39A High Street) or the Georgian Theatre.

The application is recommended for approval with conditions for the reasons set out below.

**RECOMMENDATION**

***That planning application 15/2933/LBC be approved subject to the following conditions and informative;***

**01      *Approved Plans***

***The development hereby approved shall be in accordance with the following approved plan(s);***

<b><i>Plan Reference Number</i></b>	<b><i>Date on Plan</i></b>
<b>105</b>	<b>20 November 2015</b>
<b>111</b>	<b>20 November 2015</b>
<b>103</b>	<b>20 November 2015</b>
<b>107</b>	<b>20 November 2015</b>
<b>101</b>	<b>20 November 2015</b>

<b>109</b>	<b>20 November 2015</b>
<b>106 Rev 1</b>	<b>5 February 2016</b>
<b>112 Rev 1</b>	<b>5 February 2016</b>
<b>108 Rev 1</b>	<b>5 February 2016</b>
<b>102 Rev 2</b>	<b>27 January 2016</b>
<b>110 Rev 1</b>	<b>5 February 2016</b>
<b>0854-(59)001</b>	<b>20 November 2015</b>
<b>100</b>	<b>20 November 2015</b>
<b>113</b>	<b>23 November 2015</b>
<b>104 REV 2</b>	<b>28 January 2016</b>

**Reason: To define the consent**

**02. Making Good**

***All work of making good shall be finished to match the existing original work in respect of material, colour, texture and profile and, in the case of brick work, facebond and pointing.***

***Reason: In order to safeguard the special architectural and historic interest of the building***

**INFORMATIVE OF REASON FOR PLANNING APPROVAL**

Informative: Working Practices

The Local Planning Authority found the submitted details satisfactory subject to the imposition of appropriate planning conditions and has worked in a positive and proactive manner in dealing with the planning application

**BACKGROUND**

The application sites currently function as two separate planning units, the former Courtyard Hotel and public house which has been vacant for some time and now is in the ownership of Stockton Borough Council and the Georgian Theatre and independent music venue operated by Tees Music Alliance.

The Georgian Theatre is used as a live music venue and it falls within Class D2 of the Use Classes Order and is an assembly and leisure use.

The former Courtyard Hotel adjoins the Georgian Theatre and has been vacant since Stockton Council purchased the premises in 2013. It is a Class C1 use, since it was last in use as a hotel

Both buildings are grade II listed buildings and adjoin within Green Dragon Yard.

The Courtyard project is a target project for the Heritage Lottery funded Townscape Heritage Initiative.

An accompanying application for planning permission is submitted, application number 15/2912/LAF.

## **SITE AND SURROUNDINGS**

The application sites are the properties 39A High Street (the former Courtyard Hotel) and the adjoining Georgian Theatre, situated in Green Dragon Yard. The buildings are accessed from the High Street via a pedestrian alley near Costa Coffee, which is at neighbouring 39 High Street, near a pawnbrokers which occupies the premises above the alley and near the adjacent Nationwide Building Society at 41 High Street, all of which directly front on to the High Street not far from the old town hall, which is at the heart of the Stockton Town Centre Conservation Area.

The buildings can also be accessed from Finkle Street to the south via the Green Dragon Yard; via Wasp's Yard and Calvert's Lane to the east.

The Green Dragon area is a network of four small courtyards, Green Dragon Yard, Theatre Yard, Wasps Nest Yard and Hodgson's Yard located on the eastern side of Stockton High Street between Silver Street and Finkle Street. It includes the Green Dragon Studios, which is a music facility and recording studio operated by Tees Music Alliance. Nearby/neighbouring Calvin House is also operated by Tees Music Alliance. There are also a number of other buildings in the vicinity, used for residential and office purposes, as well as two public houses.

The Georgian Theatre is used as a live music venue and like the Green Dragon Studios is also operated by Tees Music Alliance. It falls within Class D2 of the Use Classes Order and is an assembly and leisure use.

The former Courtyard Hotel adjoins the Georgian Theatre and has been vacant since Stockton Council purchased the premises in 2013. It is a Class C1 use, since it was last used as a hotel

## **PROPOSAL**

The application seeks Listed Building Consent for alterations to ground and first floors of the Courtyard Hotel to form bar and associated facilities for the Georgian Theatre.

The works will enable the bar to be used independently from the Georgian. External alterations include new feature, glazed, entrance staircase to Green Dragon Yard, lift shaft to rear and installation of new windows and doors.

Ground floor accommodation across both units comprises:

- Bar and dining area;
- Beer cellar above ground;
- Draught lobby;
- Foyer
- Box office;
- Disabled WC;
- Male and female WC's;
- Theatre and stage;
- Sound desk;
- Unisex WC's

- Store
- External terrace.

First floor accommodation comprises:

- Staff WC;
- Commercial kitchen;
- Bar and dining area
- Foyer;
- Male and female WC's
- Disabled WC;
- Balcony/overspill area
- Lights/projector area;
- Artists "Green Room";

To facilitate the amalgamation works various internal alterations are proposed to the buildings. Notably creating a link at ground floor from the existing Georgian Theatre into a new foyer area within the Courtyard. The historic fabric of the Georgian Theatre is significant whereas the Courtyard is a much later building which has been subject to numerous internal alterations. Limited works are proposed within the Georgian itself with the majority of works related to modern areas within the theatre.

External alterations proposed include:

- 1) An existing 1980's extension to the front of the former Courtyard Hotel is proposed to be replaced with a freestanding stairwell on generally the same footprint. The new atrium will be a glass and steel structure to enclose a new external staircase. It will be constructed from curtain walling with two opposing mono pitched roofs. The atrium will facilitate connection between the ground, first and second floors of the former Courtyard Hotel building and form the principle entrance to both buildings when they are combined into a single planning unit.
- 2) Existing ground floor window of the Courtyard to be altered to a door to create level access on to the outdoor terrace
- 3) At the rear of the same building, it is proposed to replace the existing Courtyard bottle store with a new taller structure with a flat roof to house improved toilet provision for ground and first floor.

## **PUBLICITY**

Neighbours were notified and no comments were received.

## **PLANNING POLICY**

The application will be considered in line with the Planning (Listed Buildings and Conservation Areas) Act 1990

Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 (the "Listed Building Act") provides that "in considering whether to grant listed building consent for any works to a listed building, the local planning authority or the Secretary of State shall have special regard to

the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”

Where an adopted or approved development plan contains relevant policies, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that an application for planning permissions shall be determined in accordance with the Development Plan(s) for the area, unless material considerations indicate otherwise. In this case the relevant Development Plan is the Core Strategy Development Plan Document and saved policies of the Stockton on Tees Local Plan. Section 143 of the Localism Act came into force on the 15 Jan 2012 and requires the Local Planning Authority to take local finance considerations into account, this section s70(2) Town and Country Planning Act 1990 as amended requires in dealing with such an application [planning application] the authority shall have regard to a) the provisions of the development plan, so far as material to the application, b) any local finance considerations, so far as material to the application and c) any other material considerations

### **National Planning Policy Framework**

Paragraph 14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means approving development proposals that accord with the development without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.

#### Paragraph 128:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

#### Paragraph 129:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal

### **Local Planning Policy**

The following planning policies are considered to be relevant to the consideration of this application.

#### Supplementary Planning Documents

Conservation and Historic Environment Folder – SPD 4

#### Emerging Policy

Regeneration and Environment Local Plan –Publication draft

Policy HE2- Conserving and Enhancing Stockton's heritage assets

1. The Council will support proposals which positively respond to and enhance heritage assets.
2. Where development has the potential to affect heritage asset(s) the Council require applicants to undertake an assessment which describes the significance of the asset(s) affected, including any contribution made by their setting. Applicants are required to detail how the proposal has been informed by this assessment.
3. Development proposals will conserve and enhance heritage assets, including their setting, in a manner appropriate to their significance.
4. The following designated heritage assets are of considerable significance:
  - c. Conservation Areas- Billingham Green; Bute Street; Cowpen Bewley; Eaglescliffe with Preston; Egglecliffe, Hartburn; Norton; Stockton Town Centre; Thornaby Green; Wolviston and Yarm;
  - d. Listed Buildings

## **MATERIAL PLANNING CONSIDERATIONS**

1. Sections 16, 66 and 72 of the Listed Buildings Act requires the LPA to give special consideration to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and to the desirability of preserving or enhancing the character or appearance of that area.
2. Development decisions should accord with the requirements of Section 12 of the National Planning Policy Framework which notes that heritage assets are an irreplaceable resource and emphasizes that they should be conserved in a manner appropriate to their significance.
3. The main considerations of the application are the effect of the works on the character, appearance and significance of the listed buildings.
4. The application is accompanied by a thorough heritage statement in accordance with paragraph 128 of the NPPF. This examines in detail the historical evolution and significance of the buildings in relation to the Conservation Area which is extremely useful in considering the impact of the proposals on the significance of the heritage assets.
5. The Georgian Theatre is gabled with pantiled roof and approached at the south end from a cobbled passage. There is a lean-to structure at the southern end, facing Green Dragon Yard which is relatively modern, dating from the 1980's. The theatre was built in 1564 as a tithe barn, It was converted from a tithe barn as a base for a touring theatre company, in 1766. Latterly it was a music hall, confectionary works and Salvation Army hall. The building was restored and reopened by Stockton Borough Council in 1980.
6. The courtyard is listed with its neighbour number 39 High Street and is a Mid C18 property. The buildings at no. 39A have been constructed in two phases, as may be seen from the change in roof height and the irregular window detailing on the element to the east and the building was most likely constructed originally as warehousing.
7. To facilitate the amalgamation works various internal alterations are proposed to the buildings. Notably a link at ground floor between the existing Georgian Theatre into a new foyer area within the Courtyard. The historic fabric of the Georgian Theatre is significant whereas the Courtyard is a much later building which has been subject to numerous internal alterations. Limited works are proposed within the Georgian itself with the majority of works related to modern areas within the theatre. None of the internal works are

considered to adversely impact on the historic significance of the listed buildings and are considered to be acceptable.

#### Glazed entrance atrium

8. The main alteration to the front facade of the former Courtyard Hotel is a glass and steel structure to enclose a new external staircase. This is positioned in the space currently occupied by a 1980's front extension. Although the proposed new structure is higher, it is a freestanding structure of a suitable height and structure considered proportionate to the front facade
9. The atrium house a new stairwell, staircase and entrance foyer is a modern structure with an industrial appearance, created to reflect past use of area. It will be constructed from curtain walling with two opposing mono pitched roofs. The atrium will facilitate connection between the ground, first and second floors of the former Courtyard Hotel building and form the principle entrance to both buildings when they are combined into a single planning unit
10. There are currently five Georgian windows at ground floor of the Courtyard , two of which are currently blacked out internally, together with a door adjacent to no 39 High Street i.e. six openings in total. It is proposed to convert one of these windows to a door to allow access from the terrace into the proposed bar area. The style and design of the door as proposed is considered to be acceptable. The existing windows are all modern replacements from when substantial conversion works were undertaken to the building in the 1980's and it is not considered that it would adversely impact on the character of the building.

#### Rear Extension (toilet extension)

11. This proposes to modify the current single storey monopitch bottle store extension and replace it with a flat roof, which is slightly higher than the original so that it may accommodate new WC's on two separate floors internally. The roof will be used to house mechanical ventilation equipment, accessed via a new door in place of an existing window, which will be removed and the opening made good.
12. The rear extension being located in a discreet courtyard which is not readily viewable from Silver Street is not considered to adversely impact on the character or setting of the listed building.

#### **CONCLUSION**

13. The application is considered to be in accordance with the provisions of the listed building act and will not have an adverse impact on the character, appearance or significance of the grade II listed buildings.
14. It is recommended that the application be Approved with Conditions for the reasons specified above.

**Corporate Director of Development and Neighbourhood Services  
Contact Officer Mrs Fiona Bage Telephone No 01642 526271**

#### **WARD AND WARD COUNCILLORS**

**Ward**                      **Stockton Town Centre**

**Ward Councillor(s)** **Councillor P Kirton**

**Ward Councillor(s)** **Councillor Di Hewitt**

## **IMPLICATIONS**

**Financial Implications:** Townscape Heritage Initiative funding

**Environmental Implications:** As report

### **Human Rights Implications:**

The provisions of the European Convention of Human Rights 1950 have been taken into account in the preparation of this report.

### **Community Safety Implications:**

The provisions of Section 17 of the Crime and Disorder Act 1998 have been taken into account in the preparation of this report

### **Background Papers**

Stockton on Tees Local Plan Adopted 1997

Alteration Number 1 to the Adopted Local Plan – 2006

Core Strategy – 2010

### **Emerging**

Regeneration and Environment Local Plan – Publication February 2015.

### **Supplementary Planning Documents**

SPD4 – Conservation and Historic Environment Folder