

**DELEGATED**

**AGENDA NO  
PLANNING COMMITTEE  
24<sup>th</sup> May 2017  
REPORT OF DIRECTOR,  
ECONOMIC GROWTH AND DEVELOPMENT  
SERVICES**

**17/0754/COU**

**The Globe, 153-157 High Street, Stockton-On-Tees**

**Restoration and refurbishment of The Globe with new back-of-house facilities to create a performance and multi-purpose venue and change of use of No. 153 High Street to bar/bistro plus toilets and administrative offices to support The Globe and to function as an occasional stand-alone unit.**

**Expiry Date:** 24 May 2017

**SUMMARY**

The site is within Stockton Town Centre. 153 High Street is within the Primary Shopping Frontage and The Globe is within the Secondary Shopping Frontage. Both units are within Stockton Conservation Area, an Article 4 area and both buildings are Grade II listed. The properties are within a street scene of mixed style and mixed height development, although generally most buildings are three storeys in height.

Permission is sought for the restoration and refurbishment of The Globe with new back-of-house facilities to create a performance and multi-purpose venue and change of use of 153 High Street to bar/bistro plus toilets and administrative offices to support The Globe. It is intended that 153 High Street would work as a standalone unit as well as in conjunction with The Globe.

The ground floor shop front of 153 High Street is to be replaced and the existing Debenhams fire escape is to be re-routed. The front elevation of The Globe is intended to be restored to its original Art Deco character.

The proposal includes the partial demolition of the back of house accommodation next to The Globe's stage off Middle Street to make room for a new extension which will be the full height of the existing building. In addition a new access is proposed in the back wall creating a loading dock under a canopied cover. Planning permission and listed building consent were approved in 2010 for a similar scheme.

In relation to the change of use of 153 High Street, saved local and national planning policy aims at directing retail and other town centre development towards existing centres. The proposal relates to a town centre use which if undertaken in conjunction with the Globe refurbishment would attract large numbers of people into the Town Centre. Saved Policy S4 advises proposals for the development of or change of use to non-retailing use at ground floor level will be permitted providing that the additional use results in no more than 10% of the sum total of the length of primary shopping frontages being in non-retail use. The latest figures indicate that non-retailing accounts for nearly 17% of the Primary Shopping Function. As such, the change of use of 153 High Street from retailing is contrary to this guidance (It should be noted that the previous approval showed non retail uses at 23% (November 2008 figure)). Whilst it is intended to operate 153 High Street as a standalone use, it is also intended to provide a link with the re-use of The Globe. The re-use of the Globe would bring a Listed Building back into use and would potentially bring as many as 2500 persons to individual performances/events. It is considered that this represents a significant positive impact on the vitality and viability of the town centre for its night time economy

which in turn may also have a positive impact on the vitality of retailing. Were the proposed change of use of 153 High Street not be linked to the re-opening of the Globe it is considered that there would be no planning matters which would outweigh the constraint of Local Plan Policies in respect to protecting retailing uses within the Primary Shopping Frontage. However, it is considered that the linked benefits of the proposal outweigh the policy of restraint. In order to ensure the A3/A4 Use is not established without any additional link benefits of the adjacent premises, a condition has been recommended which requires The Globe to be brought into use at the same time or prior to 153 High Street being first brought into use. It should be noted that the Theatres Trust is in support of these proposals.

Saved Policy S4 requires development to have no adverse effect on the amenity of the surrounding area in terms of level of activity associated with noise, pollution, traffic and opening hours. Whilst Environmental Health has suggested a condition be imposed in respect to construction hours of work, given the Town Centre location it is not considered necessary to control this as there are no sensitive uses nearby that would be adversely affected during construction. It is not considered that the change of use of 153 High Street would have an adverse impact on neighbouring properties through its operation.

In respect of the New Shop Front to 153 High Street, whilst the principle of a new shop front is acceptable, Historic England suggested that a more sympathetic frontage could be installed. The applicant has been made aware of these comments and is happy to explore other design options and a condition has been recommended to reflect the comments from Historic England.

Turning to the extension and alterations to The Globe, the main façade will be upgraded and repaired to bring it back to its former historic appearance. It is considered that this would have a positive impact on the character and appearance of the conservation area and this is also welcomed by Historic England and the Theatres Trust.

At the back of the building there are significant and essential alterations planned, partly to house the Back-of-House accommodation and partly to enlarge the space available for both performers and the necessary technical equipment while making all levels fully accessible. The existing back stage accommodation will be demolished to allow the construction of a multi-level building extending up to the height of the original building. A new entrance is proposed in the back wall of the stage house creating a loading dock under canopied cover.

Whilst the proposed extension to the rear is a significant size, it is located away from the main frontage of the listed building and the conservation area which is generally focussed on the historic High Street. Critically the proposed extension will enable the building to be brought back into use and provide more usable spaces and facilities, through the use of appropriate materials it is not considered that the proposed extension will have an adverse impact on the character and appearance of the conservation area or the listed building.

Whilst the Globe will operate within its existing D2 use class (Assembly and leisure) and no change of use will occur, a noise assessment has been undertaken which shows the expected break out noise levels are significantly below existing ambient noise levels and concludes the noise levels are acceptable and unlikely to lead to complaint.

Overall it is considered that the proposal is generally in accordance with the thrust of the guidance within local and national planning policy in that the development should assist in supporting the vitality and viability of the town centre. Furthermore, it will result in the reuse of listed buildings and the proposed extension and alterations are acceptable in principle subject to conditions and it is recommended that the application be Approved with Conditions.

## **RECOMMENDATION**

**That planning application 17/0754/COU be approved subject to the following conditions and informatives;**

### **01 Time Limit**

The development hereby permitted shall be begun before the expiration of Three years from the date of this permission.

Reason: By virtue of the provision of Section 91 of the Town and Country Planning Act 1990 (as amended).

### **02 Approved Plans**

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

Plan Reference Number	Date on Plan
P-07	17 March 2017
P-04 REV A	29 March 2017
P-08	17 March 2017
P-06 REV A	29 March 2017
P-02	23 March 2017
P-09	23 March 2017
P-03	17 March 2017
P-05	17 March 2017
P-24 REV D	23 March 2017
P-22 REV C	28 March 2017
P-28 REV C	28 March 2017
P-26 REV E	29 March 2017
P(0)001	23 March 2017
P-25 REV C	17 March 2017
P-23 REV C	28 March 2017
P-27 REV C	28 March 2017
P-29 REV D	28 March 2017
P-35	29 March 2017

Reason: To define the consent.

### **03 Materials**

Notwithstanding the submitted plans, construction of the external walls and roof of the new extension to the rear of The Globe (back of House) shall not commence until details of the materials to be used in the construction of the external surfaces of the structures hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development in the interests of the character and appearance of the conservation area and listed building.

### **04 Shop Front of 153 High Street**

Notwithstanding the submitted plans, construction of new shop front to 153 High Street shall not commence until full details, including the materials to be used have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development in the interests of the character and appearance of the conservation area and listed building.

#### **05 Fascia Canopy**

Notwithstanding the submitted plans and information, prior to installation full details of the fascia canopy to the front of the Globe, including the materials to be used shall be submitted and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to control details of the proposed development in the interests of the character and appearance of the conservation area and listed building.

#### **06 Lighting Scheme**

Notwithstanding details hereby approved, there shall be no lighting installed to the front of the premises unless in accordance with a scheme of such to be first submitted to and approved in writing by the Local Planning Authority.

Reason: In order to adequately control the development and its impact on the appearance of the listed building in accordance with saved Policy EN26 of the Stockton on Tees Local Plan.

#### **07 Use of 153 High Street Street**

The use hereby approved for 153 High Street shall not be brought into use until the adjacent premises (The Former Globe Theatre) has been brought into use as a performance and multipurpose venue unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the change of use does not compromise the vitality and viability of the town centre and to comply with Policy S4 of Alteration No. 1 of the Stockton on Tees Local Plan.

### **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**

1. The most recent planning history for the site consists of the following:

09/2976/COU - Application for the restoration and upgrading of facilities for performance and multi-purpose venue and change of use of 153 High Street to a cafe/bar/bistro as an associated facility and as a standalone unit - Approved with Conditions on 5 February 2010

09/2979/LBC Listed Building consent for restoration and upgrading of facilities for performance and multi-purpose venue and change of use of 153 High street to a cafe/bar/bistro as an associated facility and as a standalone unit- Approved with Conditions on 5 February 2010

13/0167/LBC Listed Building Consent for the attachment of decorative netting to fascia- Approved with Conditions on 20 March 2013

### **SITE AND SURROUNDINGS**

2. The site is located within Stockton Town Centre, towards the northern end of the High Street. 153 High Street is designated Primary Shopping Frontage whilst the Globe is designated as Secondary Shopping Frontage within Alteration No. 1 of the local plan. Both units are located within Stockton Conservation Area, an Article 4 area and both buildings are listed, Grade II.
3. There is a covered and secure access path between the two units with a vehicular access to the north of The Globe which wraps around to the rear of the property.
4. The properties are within a street scene of mixed style and mixed height development, although generally most buildings are three storeys in height.

## **PROPOSAL**

5. Planning Permission is sought for the restoration and refurbishment of The Globe with new back-of-house facilities to create a performance and multi-purpose venue and change of use of 153 High Street to bar/bistro plus toilets and administrative offices to support The Globe
6. It is intended that 153 High Street would work as a standalone unit as well as in conjunction with the proposed restoration and upgrading of facilities in The Globe. It is also anticipated that this facility would also be open at times when The Globe is not in use.
7. The ground floor shop front of 153 High Street is to be replaced. The only significant alteration to the layout is the re-routing of the existing Debenhams fire escape to a position where it can discharge into the safety of the High Street rather than the current arrangement where it shares an access with 153 High Street.
8. The front elevation of The Globe is intended to be restored to its original Art Deco character.
9. The proposal includes the partial demolition of the existing back of house accommodation to make room for a new extension containing dressing rooms, the stage door and security office, additional plant and equipment space and new vertical, accessible circulation. The block to be demolished has been severely damaged by long-term water damage and the spaces are cramped, poorly lit, poorly ventilated and badly laid out. The extension will be the full height of the existing building and its construction has the added benefit of preventing noise breakout from the side of the flytower.
10. In addition a new access is proposed in the rear wall creating a space for delivery vehicles to access a loading dock under canopied cover enabling scenery and equipment to be delivered onto the stage. Inside the building, behind acoustic doors, a large platform lift will lower materials to stage level.
11. The application is accompanied by a Heritage Design and Access Statement, Planning Statement, Noise Impact Assessment and an Energy and Sustainability Statement.
12. An associated application for listed building consent has also been submitted (17/0755/LBC)

## **CONSULTATIONS**

13. The following Consultations were notified and any comments received are set out below:-
14. SBC Highways Transport And Environment

Highways Comments: This proposal is for the refurbishment of The Globe and the change of use of 153 High Street. There is no incurtilage car parking associated with this site however the site is within Stockton Town Centre and is well served by public car parking and public transport links. Taxi/private car drop off and pick up can be accommodated within the nearby bus laybys after 7pm which would tally with the peak hours of this proposal. There are no highway objections.

Built Environment/Landscape & Visual Comments: The restoration of the art deco building will provide a positive impact to the streetscape and will benefit the wider and recently completed high street regeneration. It is noted that as part of the high street regeneration works, a bespoke lighting feature called Stellar@The Globe was installed in the footway along the frontage of the Globe building. It is essential that this feature is protected during the proposed building works to mitigate the risk of damage to said lighting feature and its associated lighting fixtures.

Notwithstanding details provided in the submitted planning statement and heritage statement, a scheme of illumination should be submitted and secured by condition, as below. Details should include visualisations of how the building frontage will look at night.

15. Environmental Health Unit

I have assessed the documentation provided and have found no grounds for objection in principle to the development subject to the imposition of a condition in relation to construction/demolition noise

Noise disturbance: The noise survey concludes that there will be no adverse impact upon the nearest residential properties. This is due to the appropriate selection of suitable 'plant equipment' and also the fact the Globe is structurally robust in terms of its acoustic build. As such I have no further comments to make regarding noise from the proposal.

16. Theatres Trust

I write regarding the above planning and listed building applications for the restoration and refurbishment of the Grade II listed The Globe 'super-theatre' for use as a multi-purpose entertainment venue. The Trust supports the applications.

Remit: The Theatres Trust is the national advisory public body for theatres. We were established through the Theatres Trust Act 1976 'to promote the better protection of theatres' and provide statutory planning advice through The Town and Country Planning (Development Management Procedure) (England) Order 2015, requiring the Trust to be consulted on planning applications which include 'development involving any land on which there is a theatre'.

Background: The Globe opened in 1935, built to designs by Newcastle architect Percy Lindsay Browne. Designed as a ciné-variety 'super cinema theatre', it had full stage facilities with dressing rooms on three floors to support both live theatre and cinema. It became an ABC cinema in 1937, but still saw occasional live theatre use. The cinema closed in 1977 and was converted to a bingo hall, which continued until 1996, and has been vacant since.

Stockton's Globe is one of the few remaining and complete 'super cinemas theatres' in the UK, the majority of other examples having been subdivided and/ or extensively modernised. While the theatre has deteriorated due to lack of use and neglect, there have not been many significant changes or alterations since it was built in 1935. The ground floor frontage, which originally had shop fronts flanking the entrance, has now been tiled. Above this, the moderne stucco façade has fluted giant pilaster strips rising through two storeys to a stepped attic featuring two short, cubist towers. Internally much of the original ornament has survived. The auditorium has characteristic, almost unaltered ornament to the single balcony front, the side walls feature original stylised light fountains, and the broad, square proscenium remains intact.

Comment: The Theatres Trust actively encourages local authorities and theatre owners to revitalise cultural buildings as a catalyst for wider regeneration, to benefit the local

economy, improve the conservation area, and support the cultural wellbeing of the local community. The Trust therefore supports this proposal to restore The Globe, including the conversion of the building at 153 High Street, to create a fully functioning live performing arts venue to bring it back into a sustainable and viable cultural use.

The Theatres Trust was involved in pre-application discussions for this project and agree the scheme proposes a sensitive restoration of the theatre that, in our opinion, enhances the special architectural interest or character of this heritage asset. We welcome the 'light touch' treatment proposed within the auditorium in terms of the stabilisation and restoration of the auditorium and plasterwork, with interventions mainly being made to meet building access and safety standards, provide WCs, and to flatten the stalls floor to make it suitable for both seated and standing events to maximise its use.

As with most historic theatre and cinema buildings, there is little opportunity to provide additional front of house facilities within the existing footprint of the building, and by their nature, they do not easily facilitate disabled access. The proposals indicate 2 new lifts to allow access to both stalls and circle levels of the auditorium and a further lift back of house within an extended dressing room block. The lift to access the stalls level is located within the auditorium footprint, however, in order to minimise the impact on the auditorium, a separate lift is located within the 153 High Street building to provide access to the circle level. Whilst the lift access to the auditorium is located away from the main auditorium access stair, this has been necessary to preserve the historic integrity of the auditorium and avoid alterations to the balcony. The current lift arrangement allows both choice of seating within the auditorium and good links to the new bar and WC facilities.

The proposal is supported by the conversion of the adjoining building at 153 High Street, which not only provides expanded bar facilities but also serves to provide space for offices, lift access to the stalls and upper levels of the auditorium, and also much needed additional toilet facilities and circulation space. We note the bar in this building will be operated as both a bar for events at the Globe and also as a standalone venue that is open at other times, and, and the Trust supports this, as most performance venues need additional ancillary functions and uses of this nature to help establish income streams and diversify their business models.

We also support the rebuilding and extension of the back of house/ dressing room wing to provide modern and additional spaces, and recognise this is important in order to attract artists and performers to the venue and does not affect areas of heritage significance.

In summary, the Trust considers that the proposed refurbishment works for the Stockton Globe Theatre provides a sensitive and considered approach to the historic asset, maintaining the building's architectural integrity but also greatly improving the ancillary facilities, through enhanced levels of comfort, safety and amenity for the users of the venue. The Trust would therefore recommend granting planning and Listed Building Consent.

17. Principal Environment Officer

The proposals contained within the Energy and Sustainability Statement Issue 1 (16 February) are satisfactory to comply with planning policy and statutory requirements, and therefore implementation of the measures proposed within the statement should be secured by condition.

18. Historic England

A suitably large inter-war theatre and cinema at the edge of one of England's largest market places the Globe makes an important contribution to Stockton's High Street. It refurbishment and re-use will markedly contribute to the on-going regeneration of the centre of Stockton. Consequently Historic England warmly welcomes the application.

The informed reinstatement of the theatre's frontage will do much to enhance the listed theatre but we note that an opportunity is missed by not installing a more sympathetic frontage to no.153 The High Street (separately listed grade II). Whilst the design of the new shop front may reflect that of the theatre to which its use is shared it does not respond well

to the much earlier historic character above it. More thought to its design should be able to come up with a solution that respects the parent building and its neighbour without becoming another pastiche design. We urge you to explore this possibility.

Paragraph 131 of the NPPF asks local planning authorities to consider the value of sustaining heritage assets, such as listed buildings, through continued sympathetic use and recognising the economic and social value this brings. Overall the proposal strongly supports this aim.

Recommendation: Historic England supports the application on heritage grounds but recommends further consideration of the shop front design to 153 High Street.

19. Natural England

Natural England has no comments to make on this application.

20. Stockton Police Station - Stephen Davies

Police have no objection in relation to this application. I understand most of the work is internal work with only new emergency access doors. These doors can provide a weakness to the security and I would recommend they are alarmed and provided with a good level of security without conflicting with the Fire Safety Regulations.

21. Spatial Planning & Regeneration

No comments received

22. Councillors

No comments received

23. SBC Waste Management

No comments received

## **PUBLICITY**

24. Neighbours were notified and the application was advertise in the local press and by way of a site notice. No comments have been received

## **PLANNING POLICY**

25. 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**

26. 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.

### **Local Planning Policy**

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

#### Core Strategy Policy 1 (CS1) - The Spatial Strategy

1. The regeneration of Stockton will support the development of the Tees Valley City Region, as set out in Policies 6 and 10 of the Regional Spatial Strategy 4, acting as a focus for jobs, services and facilities to serve the wider area, and providing city-scale facilities consistent with its role as part of the Teesside conurbation. In general, new development will be located within the conurbation, to assist with reducing the need to travel.

#### Core Strategy Policy 2 (CS2) - Sustainable Transport and Travel

1. Accessibility will be improved and transport choice widened, by ensuring that all new development is well serviced by an attractive choice of transport modes, including public transport, footpaths and cycle routes, fully integrated into existing networks, to provide alternatives to the use of all private vehicles and promote healthier lifestyles.

3. The number of parking spaces provided in new developments will be in accordance with standards set out in the Tees Valley Highway Design Guide. Further guidance will be set out in a new Supplementary Planning Document.

#### Core Strategy Policy 3 (CS3) - Sustainable Living and Climate Change

8. Additionally, in designing new development, proposals will:

- \_ Make a positive contribution to the local area, by protecting and enhancing important environmental assets, biodiversity and geodiversity, responding positively to existing features of natural, historic, archaeological or local character, including hedges and trees, and including the provision of high quality public open space;
- \_ Be designed with safety in mind, incorporating Secure by Design and Park Mark standards, as appropriate;
- \_ Incorporate 'long life and loose fit' buildings, allowing buildings to be adaptable to changing needs. By 2013, all new homes will be built to Lifetime Homes Standards;
- \_ Seek to safeguard the diverse cultural heritage of the Borough, including buildings, features, sites and areas of national importance and local significance. Opportunities will be taken to constructively and imaginatively incorporate heritage assets in redevelopment schemes, employing where appropriate contemporary design solutions.

#### Core Strategy Policy 5 (CS5) - Town Centres

2. Stockton will continue in its role as the Borough's main shopping centre. Up to 2011, the need for additional capacity can mostly be met through committed developments and the occupation and reoccupation of vacant floorspace. Beyond 2011, there may be a requirement to bring forward new retail developments within the town centre in the first instance, to improve quality and widen the range of the shopping offer in the Borough. The creation of specialist roles for Stockton, for example as a sub-regional historic market town, or through the concentration of a mix of ethnic retailers or small independent chrysalis stores, will be supported. Other initiatives will include:

- i) Improving the main approaches to the town via the Southern, Eastern and Northern Gateways, through creating new development opportunities and promoting environmental improvements;
- ii) Promoting a balanced and socially inclusive cultural sector and 24-hour economy across the town centre, particularly in the vicinity of Green Dragon Yard;
- iii) Providing additional leisure opportunities, and other town centre uses, in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth;
- iv) Improving pedestrian links to the riverside.

### Core Strategy Policy 6 (CS6) - Community Facilities

2. Opportunities to widen the Borough's cultural, sport, recreation and leisure offer, particularly within the river corridor, at the Tees Barrage and within the Green Blue Heart, will be supported.

### Saved Policy S14 of Alteration No 1 of the adopted Stockton on Tees Local Plan,

Proposals for Use Class A3, A4 and A5 'Food and Drink' development will be permitted in the defined retail Centres listed in Policy S1, where the proposal is in accordance with the following retail locational policies:-

- 1) Within the Defined Stockton Town Centre, subject to Policies S4, S5 and S6;
- 2) Within the defined District Centres except Yarm, subject to Policy S7;.
- 3) Within the defined Yarm District Centre, subject to Policies S8;
- 4) Within the defined Local and Neighbourhood Centres, subject to Policies S10;
- 5) Outside of the defined retail Centres, proposals for A3, A4 and A5 uses will only be permitted if there are no suitable units available within the defined Centres, or there are justified exceptional circumstances that necessitate such a location.

Proposals for all Use Class A3, A4 and A5 uses will be considered against the following criteria:-

- i) the level of traffic generated and the provision of parking facilities, both in terms of highway engineering considerations and the general amenity of the area;
- ii) any adverse impact of proposals on residential amenity in terms of smell, noise, litter fumes and disturbance;
- iii) the provision of adequate and effective fume extraction and filtration equipment;
- iv) the provision of facilities for litter within and adjoining the premises;
- v) the secure provision for trade waste, stored in an out of sight location;
- vi) where appropriate, conditions limiting the late night opening may be applied.

### Saved Policy S16 of Alteration No 1 of the adopted Stockton on Tees Local Plan,

Planning permission for new shop fronts will only be permitted provided they meet the following criteria:-

- i) Design must be in keeping with the character, scale, colours, materials, proportions, and period of the building and wider street scene.
- ii) Existing independent access to upper floors is maintained.
- iii) Corporate shop fronts and logos should maintain the appearance of the building or wider street scene.
- iv) Where two or more units are to be joined into one unit, the frontage should maintain the appearance of more than one unit in order to maintain the visual balance of the street.
- v) One hanging sign is permitted per unit which must measure no more than 600mm wide by 1000mm tall, and 35mm deep, and be fixed at least 2400mm from the ground at its lowest point, but below the first floor window sill at its highest point.
- vi) Where illumination is required it should be sited externally.
- vii) Security shutters must be of a grille design that allows the window display to be seen, and unless there are justified reasons that prevent it, must be installed on the inside of the window;
- viii) Other security devices must be an integral part of the shop front and not be visually obtrusive.

In the designated Conservation Areas or for Listed Buildings, additional controls may be placed on shop front design in the interests of maintaining the distinctive character and appearance of those areas or buildings.

### Saved Policy S4 of Alteration No 1 of the adopted Stockton on Tees Local Plan,

Within the Primary Shopping Frontage of Stockton Town Centre as defined on the Proposals Map there is a presumption in favour of retaining retail (Use Class A1) uses.

Proposals for the development of, or change of use to, non-retailing use at ground floor level will be permitted providing that-

- i) The additional use results in no more than 10% of the sum total of the length of the Primary Shopping Frontages being in non-retail use
- ii) The proposal has no adverse affect on the amenity of the surrounding area in terms of level of activity associated with
  - 1.Noise
  2. Pollution
  - 3.Levels of traffic, and;
  4. Opening hours - where appropriate will restrict hours of business in accordance with the Councils Licensing Policy
- iii)The proposal would not result in a continuous grouping of more than two non-retail uses in the primary Shopping Frontage

Saved Policy S5 of Alteration No 1 of the adopted Stockton on Tees Local Plan,

Within the Secondary Shopping Frontage of Stockton Town Centre as defined by the Proposals Map, proposals for development or change of use at ground floor level will be permitted providing that: -

- i) The proposed change of use lies within retail (Use Class A1), bank and building societies (Use Class A2), offices (Use Class B1), hotels (Use Class C1), health facilities (Use Class D1), leisure facilities (Use Class D2) and sui generis uses;
- ii) The additional use results in no more than 40% of the sum total of the length of street frontages in non-retail use;
- iii) They have no adverse affect on the amenity of the surrounding area in terms of level of activity associated with: -
  - 1) Noise;
  - 2) Pollution;
  - 3) Levels of traffic;
  - 4) Opening hours - where appropriate will restrict hours of business in accordance with the Councils Licensing Policy;
- iv) The proposal does not conflict with Policy S18;
- v) The additional use would not result in a continuous group of more than four non-retail uses in the centre

Saved Policy EN24 of the adopted Stockton on Tees Local Plan

New development within conservation areas will be permitted where:

- (i) The siting and design of the proposal does not harm the character or appearance of the conservation area; and
- (ii) The scale, mass, detailing and materials are appropriate to the character and appearance of the area

Saved Policy EN26 of the adopted Stockton on Tees Local Plan

Alterations, extensions and changes of use to listed buildings will be permitted where the proposals are in keeping with the character and appearance of the original building, and its architectural or historic interest is not adversely affected.

## **MATERIAL PLANNING CONSIDERATIONS**

28. The proposal relates to the change of use of no. 153 High Street from a vacant retail unit with residential above to a Cafe / Bar / Bistro (A3 / A4 Use Classes), the provision of a new shop front to 153 High Street and extension and alterations to The Globe.

Change of Use of 153 High Street

29. Local and national planning policy aims at directing new retail and other appropriate town centre development towards existing centres where vitality and viability can be enhanced and where the proximity of businesses facilitate competition and maximises the opportunity to use modes of transport other than the car. The proposal relates to a town centre use which if undertaken in conjunction with the Globe refurbishment would attract large numbers of people into the Town Centre. Stockton Centre is at the top of the Town Centre hierarchy and as such this proposal would generally accord with local and national retail planning policy.
30. Saved Policy S4 relates to development and Change of Use of premises within the Primary Shopping Frontage area of the Town Centre. Whilst the Council encourages the diversification of uses in the Town Centre as a whole, this policy recognises that the shopping function of both the Primary and Secondary Shopping Frontage should be protected.
31. Policy S4 advises that proposals for the development of or change of use to non-retailing use at ground floor level will be permitted providing that the additional use results in no more than 10% of the sum total of the length of primary shopping frontages being in non-retail use. The Council maintains a database showing the ground floor uses of buildings in the Primary and Secondary Shopping Frontage. The latest figures indicate non-retailing accounts for nearly 17% of the Primary Shopping Function. As such, the proposal to change the use of the 153 High Street from retailing to a Café / Bistro / Bar (A3 / A4 Use) is contrary to this guidance. (It should be noted for information that the previous approval for the Globe and conversion of 153 High Street showed non retail uses at 23% (November 2008 figure)).
32. Whilst it is intended to operate the 153 High Street as a standalone use, it is also intended to provide a link with the re-use of The Globe by providing catering facilities and acting as a pre-performance venue. The re-use of the Globe would bring back into a use a Listed Building which has been in long term decline and would potentially bring as many as 2500 persons to individual performances/events. It is considered that this represents a significant positive impact on the vitality and viability of the town centre for its night time economy which in turn may also have a positive impact on the vitality of retailing.
33. Were the proposed change of use of 153 High Street not be linked to the re-opening of the Globe then it is considered that there would be no planning matters which would outweigh the constraint of Local Plan Policies in respect to protecting retailing uses within the Primary Shopping Frontage. However, it is considered that the linked benefits of the proposal outweigh the policy of restraint. In order to ensure the A3/A4 Use is not established without any additional link benefits of the adjacent premises, a condition has been recommended which requires the adjacent premises (The Former Globe Theatre) to be brought into use at the same time or prior to 153 High Street being brought into use.
34. It should be noted that the Theatres Trust is in support of these proposals as they will assist in providing a sustainable business model which will allow the reuse of the Globe Theatre as a performance venue.
35. Policy S4 of Alteration no. 1 also requires development to have no adverse effect on the amenity of the surrounding area in terms of level of activity associated with noise, pollution, traffic and opening hours. Whilst the Councils Environmental Health Officer has advised conditions be imposed in respect to construction hours, given the Town Centre location it is not considered necessary to control construction hours as there are no sensitive uses nearby that would be adversely affected during construction. It is not considered that the change of use of 153 High Street would have an adverse impact on neighbouring properties or uses through its operation.

### New Shop Front to 153 High Street

36. The proposed plans show a new shop front with plain glass box windows projecting forward under the shop fascia with recessed doors.
37. Whilst the principle of a new shop front is acceptable, Historic England have suggested that a more sympathetic frontage could be installed. They consider that whilst the design of the new shop front reflects that of the theatre it does not respond well to the much earlier historic character above it.
38. The applicant has agreed to explore other design options to reach a solution that respects the parent building and its neighbour without becoming another pastiche design. A condition has been recommended to ensure the design is given more consideration and full details of the new shop front will be revised and submitted along with full details of the proposed canopy to The Globe to reflect the comments from Historic England.

### Extension and Alterations to The Globe

39. The main façade of the property will be upgraded and repaired to bring it back to its former historic appearance. It is considered that this would have a positive impact on the character and appearance of the listed building and wider conservation area and is also welcomed by Historic England and the Theatres Trust.
40. At the back of the building there are significant and essential alterations planned, partly to house the Back-of-House accommodation and partly to enlarge the space available for both performers and the necessary technical equipment while making all levels fully accessible.
41. The existing back stage accommodation will be demolished to allow the construction of a multi-level building extending up to the height of the original building. The submitted report states the construction of this new extension has the added benefit of preventing noise breakout from the side of the flytower. A new entrance whereby scenery and equipment can be delivered onto the stage is proposed in the back wall of the stage house creating a loading dock under canopied cover.
42. Whilst the proposed extension to the rear is a significant size, it is located away from the main frontage of the listed building and the conservation area which is generally focussed on the historic High Street. The proposed extension will enable the building to be brought back into use and provide more usable spaces and facilities. It is not considered that the proposed extension, with the use of appropriate materials which can be conditioned, will have an adverse impact on the character and appearance of the conservation area or the listed building.
43. Whilst the Globe will operate within its existing D2 use class (Assembly and leisure) and no change of use will occur, a noise assessment has been undertaken which shows the expected break out noise levels are significantly below existing ambient noise levels and concludes the noise levels are acceptable and unlikely to lead to complaint.

### Other Matters

44. An Energy and Sustainability Statement has been submitted and the Principal Environment Officer considers the details are satisfactory and has requested that the measures proposed within the statement are secured by condition.

45. Whilst this request is noted and despite the Globe having been out of use for some time, the nature of its previous use as a entertainment space and no change in use occurring means that the condition should not be recommended. Conditions should only be used where they meet the six tests, one of which being 'necessary' in this instance it is considered that as no change of use is occurring and due to the functional nature of the extension it is not necessary to impose such a condition to make the application acceptable. Nonetheless the applicant is committed to the contents of the report and the alterations will be overseen by the Building regulation regime which contains a requirement for energy efficiency improvements, on which the submitted report is based.

## **CONCLUSION**

46. Overall it is considered that the proposal is generally in accordance with the thrust of the guidance within national and local planning policies and the development should assist in supporting the vitality and viability of the town centre. Furthermore, it will result in the reuse of listed buildings which will have a positive impact on the listed buildings and wider conservation area.
47. The proposed extensions and alterations are acceptable in principle and it is recommended that the application be Approved with Conditions for the reason(s) specified above.

**Director of Economic Growth and Development Services**  
**Contact Officer Mrs Elaine Atkinson Telephone No 01642 526062**

## **WARD AND WARD COUNCILLORS**

**Ward** Stockton Town Centre  
**Ward Councillor(s)** Councillor P Kirton  
**Ward Councillor(s)** Councillor Di Hewitt

## **IMPLICATIONS**

**Financial Implications:** None

**Environmental Implications:** None

### **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  
Application Files