

DELEGATED

**AGENDA NO
PLANNING COMMITTEE**

7th November 2018

**DIRECTOR OF ECONOMIC GROWTH AND
DEVELOPMENT**

18/0575/LBC

153 - 157 High Street, Stockton-on-Tees, TS18 1PL

Listed building consent for the restoration and refurbishment of The Globe with new back-of-house facilities to create a performance and multi-purpose venue. Change of use of No. 153 High Street from vacant retail unit with residential accommodation above to a bar/bistro with additional toilets and administration offices to support The Globe and to function as an occasional stand-alone unit.

Expiry Date 8th November 2018

SUMMARY

Listed Building Consent 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.

Members will recall that planning permission and listed building consent were granted for works to the Globe and 153 High Street in 2017. These works have commenced on site with the design process being reviewed to adapt to commercial requirements of the proposed venue operator and unforeseen construction issues within the buildings.

The listed building revisions are in response to these issues to enable the venue to be successfully brought back into use and to ensure the special architectural and historic interest of the buildings are safeguarded.

The proposed works are considered to be acceptable and will not adversely impact on the character and appearance or significance of the grade II listed buildings.

RECOMMENDATION

That planning application 18/0575/LBC be approved subject to the following conditions and informative below;

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

<i>Plan Reference Number</i>	<i>Date on Plan</i>
07682-SPACE-ZZ-00-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-01-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-02-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-03-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-04-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-05-DR-A-01-0001 - Grid Level General Arrangement	1 October 2018
07682-SPACE-ZZ-06-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-B1-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-B2-DR-A-01-0001	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-01-5001	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-02-0001	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-02-0002	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0001	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0002	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0003	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0004	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0005	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0006	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0007	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-03-0008	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-04-0001	1 October 2018
07682-SPACE-ZZ-ZZ-DR-A-04-0002	1 October 2018

07682-SPACE-ZZ-ZZ-DR-A-04-0003 **1 October 2018**
07682-SPACE-ZZ-ZZ-DR-A-04-0004 **1 October 2018**
07682-SPACE-ZZ-ZZ-DR-A-04-0005 **1 October 2018**
07682-SPACE-ZZ-ZZ-DR-A-04-0006 **1 October 2018**
07682-SPACE-ZZ-ZZ-DR-A-04-0007 **1 October 2018**
07682-SPACE-ZZ-ZZ-DR-A-04-0008 **1 October 2018**

Reason: To define the consent

- 03. Works of making good**
All new external and internal works and finishes and works of making good shall match the existing original work adjacent in respect of materials used, detailed execution, and finished appearance except where indicated otherwise on the drawings hereby approved or otherwise agreed in writing with the Local Planning authority.

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

- 04. 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.

- 05. Shop Front of 153 High Street**
Notwithstanding the submitted plans, construction of the external surfaces of the new shop front to 153 High Street shall not commence until full details of 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 listed building to be altered

- 06. Work schedule**
Notwithstanding details hereby approved there shall be no works carried out on, to or within the building which result in the removal or damage of any fixed part of the building unless in accordance with a schedule of works and working methods to be first submitted to and approved in writing by the Local Planning Authority, in respect of that part of the building. The schedule shall include but not be restricted to detailing the following areas of works;

- a. Works to any existing light fittings,
- b. Works to any plasterwork,
- c. Works to w.c's
- d. Works to all doors and fretwork grilles,
- e. Extent of repairs to the front elevation,
- f. Works to fall protection guarding,
- g. Works to the entrance including booking office, poster boxes and entrance doors.
- h. Windows.
- i. New seating
- j. Front canopy

Reason: In order to adequately control the work and working practices and their impact on the inherent value of individual parts of the listed building in accordance with the special interest and character and appearance of the listed building to be preserved.

07. Painting

Notwithstanding details hereby approved there shall be no painting of external surfaces including but not restricted to walls, windows, doors and fret work grilles unless in accordance with a scheme of painting 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

INFORMATIVE OF REASON FOR PLANNING APPROVAL

Informative: Working Practices

The Local Planning Authority has worked in a positive and proactive manner and sought solutions to problems arising in dealing with the planning application by gaining additional information required to assess the scheme and by the identification and imposition of appropriate planning conditions.

BACKGROUND

The most recent planning history relating to the site is set out below:

17/0754/COU 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. Approved with Conditions 24th May 2017

17/0755/LBC Listed building consent 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 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. Approved with conditions 24th May 2017

18/0405/ADV Erection of 2.4 metres high by approximately 45.6 linear metres of site hoarding with scheme graphic, comprised of 38 x 1.2m composite boards(retrospective) Approved with Conditions 20th April 2018

An associated application for planning permission is pending consideration:

18/0574/REV 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.

SITE AND SURROUNDINGS

1. 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 the local plan. Both units are located within the Stockton Town Centre Conservation Area, within an Article 4 area and both buildings are listed, Grade II.
2. 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.
3. The properties are within a street scene of mixed style and mixed height development, although generally being 3 storeys in height.

PROPOSAL

4. The application seeks listed building consent for the restoration and refurbishment of The Globe with new back-of-house facilities to create a performance and multi-purpose venue. Change of use of No. 153 High Street from vacant retail unit with residential accommodation above to a bar/bistro with additional toilets and administration offices to support The Globe and to function as an occasional stand-alone unit.
5. Since initial submission of the application design revisions have taken place and superceding plans submitted these include (in summary):
6. Physical works include more extensive works to 153 High Street due to previously unknown structural issues.
7. The design of the roof structure of the Globe has been fundamentally re-designed to relocate plant equipment and incorporate a new roof structure over the original roof (but with limited impact on the height or articulation on any of the facades or views).
8. Various alterations to reflect the comments raised by the Theatres Trust; set out in summary below:
 - removal of historically irrelevant blue tiling to main Globe façade and reinstatement of marble and jade banding to match original
 - reinstatement of slate plinth matching original to main Globe façade
 - restoration / repair of original green vertical terrazzo to Middle Street elevation of main Globe façade
 - removal of louvre screening to plant at roof level on Middle Street Elevation and Rear (Fly Tower) Elevation and replacement with integrated acoustic screening as part of main rendered façade system and incorporation of limited louvred openings within façade fenestration
 - omission of brick slip clad element on Middle Street Elevation
 - rationalised contemporary “shopfront” to number 153
 - lift removed from main auditorium
 - toilet areas/disability access issues resolved, impact on sightlines resolved

CONSULTATIONS

Consultations were notified and comments received are set out below:-

Theatres Trust

Thank you for again consulting Theatres Trust on the above applications following the submission of further amendments to proposed plans.

In our previous response of 16th May 2018 we provided a number of comments related to design and layouts which we felt would improve the future operation and ongoing sustainability of the Globe. We are delighted that most of these, including the points we considered to be of the highest priority, have been taken on board and reflected within these revised plans. We welcome for example the better and safer arrangement of toilets, the resolution of potential acoustic disruption arising from the toilets and rear bar, the provision of a fully accessible dressing room with shower and WC and improved lift access. Externally, the re-design and re- location of plant equipment removes the need for an unsympathetic external truss. We support the other external design improvements cited in the applicant's covering letter.

Our only major reservation would be that the proposed wheelchair accessible office to the entrance level is effectively a store cupboard with minimal space and detached from other staff, therefore we consider it to be an inadequate solution. We would strongly encourage this aspect of the proposal to be reconsidered and for the main office accommodation to be made accessible. We would also advise that the separation doors in the main auditorium/stalls bar will need careful fixing so as to avoid unnecessary harm to the building's historic fabric, and for the junctions to be appropriately detailed.

Once again we support and welcome this exciting proposal for Stockton and look forward to the Globe being restored and brought back to use. We continue to recommend the granting of planning permission and listed building consent.

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 January 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

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

National Planning Policy Framework

The purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. These are economic social and environmental objectives.

So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11) which for decision making means;

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.

Paragraph 189. 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 190. 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 into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal

Paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the assets conservation.

Paragraph 194 of the NPPF goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.

Paragraph 196 of the NPPF explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

MATERIAL PLANNING CONSIDERATIONS

9. Members will recall that planning permission and listed building consent were granted for refurbishment of the Globe in 2017. As a consequence of the previous listed building approval works have commenced on site and an initial strip taken place with substantial invasive survey work undertaken to ascertain the full and detailed condition of the building. As a consequence of this further survey work and the complexities of the building project, this has required an evolving design approach and an amended listed building application is now required.
10. The main considerations in regards to this application therefore is the effect of the development on the character and appearance and also the significance of the grade II Listed Building.
11. 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 Paragraph 193 of the NPPF requires that when considering the impact of a proposed development on the significance of designated heritage assets, great weight should be given to the assets conservation.
12. Paragraph 194 of the NPPF goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification and Paragraph 196 of the NPPF explains that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
13. The works have been considered by the statutory consultee the Theatres Trust, they welcome and support the application however initially raised a number of design suggestions. The design has been amended to reflect the comments raised by the Trust where possible, without impacting on historic fabric therefore many of the comments raised have now been addressed through the design process.
14. The Globe has been vacant for a significant period of time, due to its construction and ingress of water over the years during strip works unforeseen issues have arisen that require further alterations and change to the building.
15. Noticeably the rear of 153 High Street requires significant stabilisation works which is reflected in the proposed works. Internally to the Globe the extent of repair work required to the decorative plasterwork, a significant element of the buildings character and significance requires more extensive works than previously thought.
16. The most fundamental changes have required a redesign in terms of the roof structure and ability to achieve appropriate means of ventilation and extraction for the future venue. As a result it is now proposed to erect an independent roof structure that will essentially envelope the building without requiring significant structural works to the historic roof fabric.
17. Therefore, whilst the proposed works will impact on historic fabric and therefore will cause a degree of harm as set out in paragraph 196 of the NPPF. This harm will be 'less than substantial' and is accompanied by clear and convincing justification for the level of works required. Additionally, the works proposed continue to be informed by the specialist services of the lead theatre consultant in terms of design solutions .The proposed works

are unavoidable if the fabric of the building is to be suitably conserved and any invasive works must be weighed against the practicalities of bringing such a building into re-use to ensure its long term survival and preservation as a building of historic interest.

18. Such works are considered to bring significant public benefits in terms of conserving the building in a manner appropriate to its significance, in a use similar to its original intended purpose.
19. Additionally the proposed reopening of the Globe brings with it substantial public benefits in securing the future of the listed building and associated economic benefits with such a project including job creation and economic benefits for neighbouring town centre uses.
20. The proposed works are considered to be necessary to allow the successful conversion and reuse of the building which requires a degree of adaptation.
21. Subject to appropriate controlling conditions in respect of specific elements to ensure those particular areas of significance such as decorative plasterwork are appropriately conserved. It is considered that the works are in accordance with the provisions of the listed building act and the guidance of the NPPF.

CONCLUSION

22. It is recommended that the application be Approved with Conditions for the reasons specified above.

Director of Economic Growth and Development
Contact Officer Fiona Bage Telephone No 01642 526271

WARD AND WARD COUNCILLORS

Ward Stockton Town Centre
Ward Councillor Councillor Paul Kirton

Ward Stockton Town Centre
Ward Councillor Councillor Di Hewitt

IMPLICATIONS

Financial Implications: No direct financial implications as a result of the report

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

Planning Listed Buildings and Conservation Areas Act 1990
National Planning Policy Framework