

MEETING:	PLANNING COMMITTEE
DATE:	18 SEPTEMBER 2013
TITLE OF REPORT:	<p>131519/CD - INSTALLATION OF 2 NOS FULLY GLAZED DRAUGHT LOBBIES AND ASSOCIATED ALTERATIONS TO LANDSCAPING; INSTALLATION OF BICYCLE STANDS AND REPLACEMENT OF GLAZED DOORS TO GROUND, FIRST AND SECOND FLOORS TO NORTH EAST ELEVATION AT THE COURTYARD THEATRE, 93 EDGAR STREET, HEREFORD, HR4 9JR</p> <p>For: The Courtyard Theatre per Property Services Herefordshire Council, Plough Lane, Hereford, HR4 0LE</p>
WEBSITE LINK:	http://news.herefordshire.gov.uk/housing/planning/58286.aspx?ID=131519&NoSearch=True

Date Received: 5 June 2013

Ward: Three Elms

Grid Ref: 350774,240571

Expiry Date: 31 July 2013

Local Members: Councillors PA Andrews, EMK Chave and C Nicholls

1. Site Description and Proposal

1.1 The Courtyard Theatre is of modern construction and lies off Edgar Street. It is directly opposite the football ground and bounded by residential development to the north and south. To the west beyond the car park is Beaumont Gardens, an area of open space which acts as a buffer between subject premises and properties that front Penhaligon Way.

1.2 The application seeks approval for the following:

Parts of the existing patent glazing and sliding doors to the ground, first and second floors to the north east elevation are to be replaced with new glazing and sliding doors. Windows to the first and second floors are to be top hung outward opening with restrictors and have trickle vents to provide background ventilation with top and bottom fixed glazing. The doors to the ground are to be sliding with fixed side glazing.

2 no. new fully glazed draft lobbies are to be fitted, one to the main entrance to the south west elevation and one to the north west elevation. These new structures are to be fully glazed with aluminium frames finished with a powder coat. The access to the new lobbies will be via automatic glazed doors with a level access.

New bicycle shelters formed with a steel powder coated frame to provide cover to new bicycle hooped stands. There will be a requirement to carry out associated landscaping to accommodate the new bicycle shelter.

2. Policies

Unitary Development Plan

- 2.1 S1 - Sustainable development
- S11 - Community facilities and services
- DR1 - Design

Draft Core Strategy

- 2.2 SS1 - Presumption in favour of sustainable development
- SS6 - Addressing climate change
- SC1 - Social and community facilities
- SD1 - Sustainable design and energy efficiency

National Planning Policy Framework (2012)

- 2.3 Also of importance is the National Planning Policy Framework (NPPF), published in March 2012, which established a clear presumption in favour of sustainable development.

Paragraph 12 states that the NPPF does not change the statutory status of the development plan as the starting point for determining applications. It goes on to advise that proposals which accord with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

- 2.4 The Unitary Development Plan policies together with any relevant supplementary planning documentation can be viewed on the Council's website by using the following link:-

<http://www.herefordshire.gov.uk/housing/planning/29815.aspx>

3. Planning History

- 3.1 None of relevance.

4. Consultation Summary

- 4.1 The Theatres Trust – supports the application in principle because the two glazed lobbies will reduce drafts entering the building, creating a more comfortable indoor environment for those attending the theatre. The proposed additions are minor in nature, are sympathetically designed within the context of the building, and do not adversely harm its function or appearance. We would therefore advise you to grant planning permission and attach any appropriate conditions accordingly.

5. Representations

- 5.1 Hereford City Council – No objections.
- 5.2 Highways Agency – No objections.
- 5.3 One objection has been received. The reasons are that the building is an exemplar and any alterations demand significant care. The proposal fails to do this by not paying attention to the simple but modular basis of the original building and the lean to roofs are wrong on a cuboid building and the details are clumsy and ill conceived.

- 5.4 The consultation responses can be viewed on the Council's website by using the following link:-
<http://news.herefordshire.gov.uk/housing/planning/searchplanningapplications.aspx>

Internet access is available at the Council's Customer Service Centres:-
www.herefordshire.gov.uk/government-citizens-and-rights/complaints-and-compliments/contact-details/?q=contact%20centre&type=suggestedpage

6. Officer's Appraisal

- 6.1 Criterion 1 of Policy DR1 of the Unitary Development Plan (UDP) is clear that all development will be required to:
1. Promote or reinforce the distinctive character and appearance of the locality in terms of layout, density, means of access and enclosure, scale, mass, height, design and materials.
- 6.2 It is primarily against this policy that the proposal is to be considered, but the extent to which the UDP is up-to-date and relevant needs to be considered, as its replacement, the Draft Core Strategy, has now reached the stage where it forms a material planning consideration. Policy SD1 of the Draft Core Strategy is considered to be relevant in this case and this policy largely continues the thread of Policy DR1 by requiring that developments '*make a positive contribution to the architectural diversity and character of the area through appropriate layout, siting, scale, height, proportions and massing, orientation, use, architecture detailing, landscaping and materials*'.
- 6.3 Paragraph 216 of the NPPF provides the context for giving weight to the relevant policies of draft plans and it is clear that additional weight can be attached to these where there are not any significant unresolved objections. There would not appear to be any significant unresolved objections to Policy SD1 according to our consultation records, but in spite of this, Policy DR1 should still be used as the basis for determining this application because it mirrors Policy SD1, which itself was drafted in the spirit of the NPPF.
- 6.4 Policies SS1, SS6 and SC1 of the Draft Core Strategy are also relevant. It would appear that there are significant unresolved objections to Policy SS1 (presumption in favour of sustainable development) and so it should not be given any weight in reaching a decision. Policies SS6 and SC1, like SD1, are not considered to be subject to any significant unresolved objections. Therefore they carry weight. Policy SS6 on climate change is satisfied because the proposal encourages alternative modes of travel and the reduction in carbon emissions through the provision of bicycle shelters and improvements to the existing fenestration. The proposal is also in accordance with Policy SC1 (social and community facilities) as it seeks to enhance the existing facilities.
- 6.5 The objection that has been raised essentially relates to the lean-to approach adopted for the new draft lobbies, which it is submitted does not relate well to the modular design of the building. This concern is noted although the applicant has advised that this approach is required in order to handle rainwater running down the vertical face of the principal building. In visual terms the proposed additions are considered to be of relatively modest scale such that they will not have a significant impact upon the overall composition of the building and the proportions of the new glazing do at least reflect the panel system used on the principal building. On balance it is recommended that this application be approved.

RECOMMENDATION

That planning permission be granted subject to the following conditions:

- 1. **A01 Time limit for commencement (full permission).**
- 2. **B02 Development in accordance with approved plans and materials.**

Informatives:

- 1. **The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against planning policy and any other material considerations, including any representations that have been received. It has subsequently determined to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.**
- 2. **N19 Avoidance of doubt - Approved Plans.**

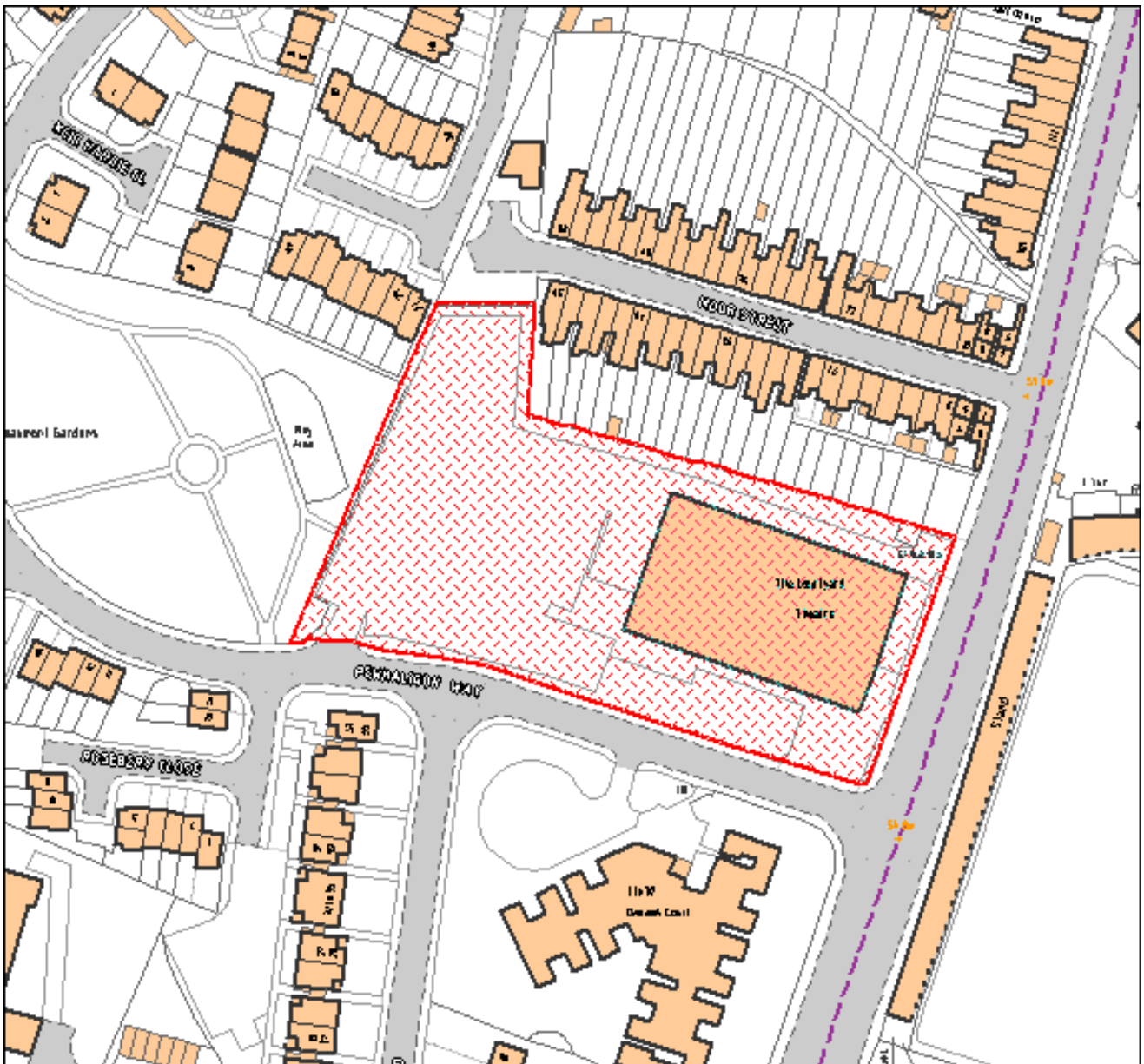
Decision:

Notes:

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Background Papers

Internal departmental consultation replies.



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APPLICATION NO: 131519/CD

SITE ADDRESS : THE COURTYARD THEATRE, 93 EDGAR STREET, HERFORD, HR4 9JR

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