

Development Committee



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TO REGISTER TO SPEAK PLEASE SEE BOX BELOW

Wednesday, 1 February 2023

A meeting of the **Development Committee** will be held in the **Council Chamber - Council Offices** on **Thursday, 9 February 2023 at 9.30 am.**

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Please note that members of the public should not speak to Committee Members prior to or during the meeting.

PUBLIC SPEAKING :

Members of the public who wish to speak on applications must register **by 9 am on the Tuesday before the meeting** by telephoning **Customer Services on 01263 516150** or by emailing customer.service@north-norfolk.gov.uk. Please read the information on the procedure for public speaking at Development Committee on our website or request a copy of "Have Your Say" from Customer Services.

Anyone may take photographs, film or audio-record the proceedings and report on the meeting. You must inform the Chairman if you wish to do so and must not disrupt the meeting. If you are a member of the public and you wish to speak, please be aware that you may be filmed or photographed.

Emma Denny
Democratic Services Manager

To: Mrs P Grove-Jones, Mr P Heinrich, Mr A Brown, Mr P Fisher, Mrs A Fitch-Tillett, Dr V Holliday, Mr R Kershaw, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Mr M Taylor, Mr A Varley, Ms L Withington and Mr J Toye

Substitutes: Mr A Yiasimi, Mr T Adams, Dr P Bütikofer, Mrs S Bütikofer, Mr C Cushing, Mr T FitzPatrick, Mr V FitzPatrick, Mr N Housden, Mr J Punchard, Mr J Rest, Mrs E Spagnola, Dr C Stockton, Mr E Vardy and Mr H Blathwayt

All other Members of the Council for information.
Members of the Management Team, appropriate Officers, Press and Public



If you have any special requirements in order to attend this meeting, please let us know in advance
If you would like any document in large print, audio, Braille, alternative format or in a different language please contact us

A G E N D A

PLEASE NOTE: THE ORDER OF BUSINESS MAY BE CHANGED AT THE DISCRETION OF THE CHAIRMAN
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PUBLIC BUSINESS

- 1. CHAIRMAN'S INTRODUCTIONS**
- 2. TO RECEIVE APOLOGIES FOR ABSENCE**
- 3. SUBSTITUTES**
- 4. MINUTES**

Due to the tight meeting schedule, the minutes of 26th January will be presented for consideration at the next meeting.

5. ITEMS OF URGENT BUSINESS

- (a) To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.
- (b) To consider any objections received to applications which the Head of Planning was authorised to determine at a previous meeting.

6. ORDER OF BUSINESS

- (a) To consider any requests to defer determination of an application included in this agenda, so as to save any unnecessary waiting by members of the public attending for such applications.
- (b) To determine the order of business for the meeting.

7. DECLARATIONS OF INTEREST

(Pages 1 - 6)

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

OFFICERS' REPORTS

- 8. CROMER- LA/22/2413- RENOVATION OF EXISTING CAFE, BAR, UPGRADE OF TOILETS INCLUDING ACCESSIBLE TOILET AND ALTERATIONS OF OTHER ROOMS SUCH AS OFFICE ROOM AND STORE ROOM. PAVILION THEATRE, PROMENADE, CROMER, FOR NORTH NORFOLK DISTRICT COUNCIL.** (Pages 7 - 10)
- 9. CROMER- PF/22/2332- RENOVATION OF EXISTING CAFE, BAR, UPGRADE OF TOILETS INCLUDING ACCESSIBLE TOILET AND** (Pages 11 - 16)

ALTERATIONS OF OTHER ROOMS SUCH AS OFFICE ROOM AND STORE ROOM. PAVILION THEATRE, PROMENADE, CROMER, FOR NORTH NORFOLK DISTRICT COUNCIL.

10. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution, if necessary:-

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A (as amended) to the Act.”

PRIVATE BUSINESS

11. ANY URGENT EXEMPT BUSINESS

12. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM CONSIDERATION OF THE PUBLIC BUSINESS OF THE AGENDA

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Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

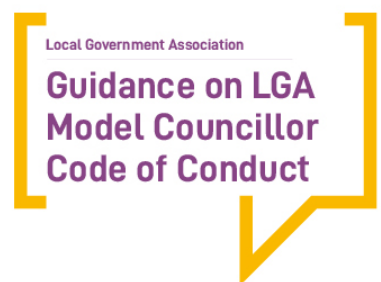
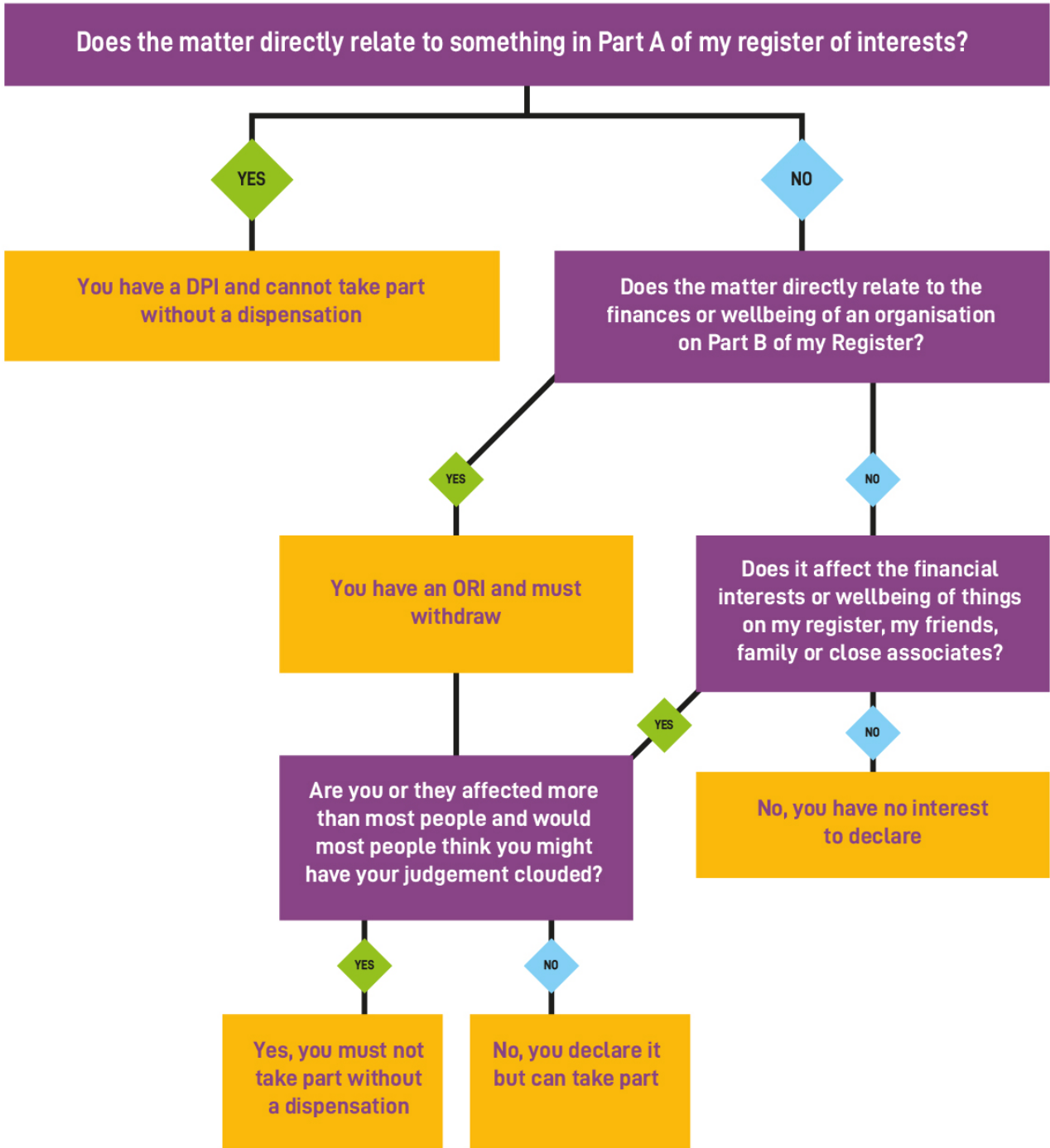
	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none">a) any body of which you are in general control or management and to which you are nominated or appointed by your authorityb) any body<ul style="list-style-type: none">(i) exercising functions of a public nature(ii) any body directed to charitable purposes or(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)



CROMER- LA/22/2413– Renovation of existing cafe, bar, upgrade of toilets including accessible toilet and alterations of other rooms such as office room and store room. Pavilion Theatre, Promenade, Cromer, for North Norfolk District Council.

Minor Development

Target Date: 8th December 2022

Extension of time: 24th February 2023

Case Officer: Ms A Walker

Listed Building Consent

RELEVANT SITE CONSTRAINTS

- The application site is located within the settlement boundary of Cromer in an area designated Public Realm and Town Centre, in policy terms.
- The application site is located within Cromer Conservation Area and an area of Undeveloped Coast.
- Both the Pier and the adjacent sea wall promenade are Grade II Listed Heritage Assets

RELEVANT PLANNING HISTORY

Reference PF/03/0957
Description Alterations and extensions to pavilion theatre and pier entrance building
Outcome Approved 29.08.2003

Reference LA/03/0958
Description Internal and external alterations to pavilion theatre and alterations to pier entrance to facilitate erection of extensions
Outcome Approved 11.09.2003

Reference LA/96/0642
Description Two replacement illuminated signs to each side of pavilion
Outcome Approved 27.11.1996

Reference AI/96/0641
Description Two replacement illuminated signs to each side of pavilion
Outcome Approved 10.10.1996

Reference LA/89/0255
Description Extension to form new storage/kitchen to pier pavilion
Outcome Approved 18.05.1989

THE APPLICATION

The application seeks Listed Building Consent for the renovation of the existing cafe, bar, and upgrade of the toilets including an accessible toilet and alterations of other rooms such as an office room and store room.

REASONS FOR REFERRAL TO COMMITTEE

Under Section 6.2, Note 4a of the Councils constitution, applications made for or on behalf of the District Council where representations have been received shall be determined by Development Committee.

PARISH/ TOWN COUNCIL

Cromer Town Council: Support Application

REPRESENTATIONS

A letter of representation was received from the Theatres Trust which whilst some concern was identified regarding the external alterations this was considered to equate to less than substantial harm and they were supportive of the application.

CONSULTATIONS

Conservation and Design: No objection

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.
Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - CHAPTER 17

The application raises no significant crime and disorder issues.

LOCAL FINANCE CONSIDERATIONS

Under Chapter 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on

Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1 (Spatial Strategy for North Norfolk)
Policy SS 7 (Cromer)
Policy EN 8 (Protecting and enhancing the historic environment)

National Planning Policy Framework (NPPF) (2021):

Chapter 1 (Achieving Sustainable Development)
Chapter 12 (Achieving well-designed places)
Chapter 16 (Conserving and enhancing the historic environment)

Supplementary Planning Documents

Design Guide Supplementary Planning Document (December 2008)

MAIN ISSUES FOR CONSIDERATION

- 1. Principle**
- 2. Impact on heritage asset (Listed Building)**

APPRAISAL

1. Principle

The proposal seeks listed building consent for internal and external works associated with the renovation of the existing cafe, bar, upgrading of toilets including an accessible toilet and alterations of other rooms such as office room and store room, at the Pavilion Theatre Cromer. These alterations are considered acceptable in principle.

2. Design and Heritage

Policy EN 8 requires development proposals, including alterations and extensions, to preserve or enhance the character and appearance of designated assets and their settings. Development that would have an adverse impact on their special historic or architectural interest will not be permitted.

Due to the Pavilion Theatre's status as a Grade II Listed Building, NNDC Conservation and Design Officers were consulted, and representations from The Theatre Trust have been received. Overall it is believed that the alterations represent a reasonable compromise between conservation and adaptation of the asset to ensure its future viability. Officers were of the opinion that whilst the reduced overhang and the loss of bench seating under the eaves line is considered unfortunate, this has to be balanced against the required operational improvements of the Theatre. Particularly in the currently challenging environment, enhancing the facilities within the theatre is seen as an important part of securing the future viability of

the Grade II listed building as a whole.

In their response Conservation and Design Officers were also mindful of the public objection received relating to design concerns affecting the symmetry of the theatre and the interior design of the bar area shown in the schematic images. As the pavilion is balanced rather than truly symmetrical, the unbalanced window configuration was not considered to be an overriding concern to officers, and the interior décor of the scheme is considered to be outside the limits of the listing and the control of Planning. Therefore, with the plans demonstrating that the alterations are possible without unduly harming its overall significance, Conservation and Design Officers offered no objection to this application.

Therefore, on balance, it is considered that the proposal would result in a modest amount of harm to the heritage asset. However, this is heavily outweighed by the public benefits accruing from the proposals, and therefore this application can be considered compliant under paragraph 202 of the NPPF and Policies EN 2, EN 4, EN 5 and EN 8 of the Adopted Core Strategy.

Conclusion and 'Planning Balance'

On balance, it is considered that the proposal would result in a modest amount of harm to the heritage asset. However, this is heavily outweighed by the public benefits accruing from the proposals, and therefore this application can be considered compliant under paragraph 202 of the NPPF and Policy EN 8 of the Adopted Core Strategy.

The application therefore accords with the relevant policies of the adopted Development Plan as listed above.

The issues raised in letters of representation (summarised above) received following publicity and consultation carried out in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) have been considered. They do not raise material considerations which outweigh the recommendation to approve.

No consultees have raised objections to the proposals.

RECOMMENDATION:

APPROVAL subject to conditions to cover the matters listed below

- Development in accordance with the approved plans
- Materials

Final wording of conditions to be delegated to the Assistant Director – Planning

CROMER- PF/22/2332– Renovation of existing cafe, bar, upgrade of toilets including accessible toilet and alterations of other rooms such as office room and store room. Pavilion Theatre, Promenade, Cromer, for North Norfolk District Council.

Minor Development

Target Date: 8th December 2022

Extension of time: 24th February 2023

Case Officer: Ms A Walker

Full Planning Permission

RELEVANT SITE CONSTRAINTS

- The application site is located within the settlement boundary of Cromer in an area designated Public Realm and Town Centre, in policy terms.
- The application site is located within Cromer Conservation Area and an area of Undeveloped Coast.
- The application site is located within Flood Zones 2 and 3.
- Both the Pier and the adjacent sea wall promenade are Grade II Listed Heritage Assets

RELEVANT PLANNING HISTORY

Reference PF/03/0957
Description Alterations and extensions to pavilion theatre and pier entrance building
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Reference LA/89/0255
Description Extension to form new storage/kitchen to pier pavilion
Outcome Approved 18.05.1989

THE APPLICATION

The application seeks permission for the renovation of the existing cafe, bar, and upgrade of the toilets including an accessible toilet and alterations of other rooms such as an office room and store room.

REASONS FOR REFERRAL TO COMMITTEE

Under Section 6.2, Note 4a of the Councils constitution, applications made for or on behalf of the District Council where representations have been received shall be determined by Development Committee.

PARISH/ TOWN COUNCIL

Cromer Town Council: Support Application

REPRESENTATIONS

Two in objection:

- The symmetry and heritage of the building compromised by poor design
- Design of the bar and furniture not in fitting with the Victorian heritage of the pier.
- Loss of existing sheltered seating.

A letter of representation was also received from the Theatres Trust which whilst some concern was identified regarding the external alterations this was considered to equate to less than substantial harm and they were supportive of the application.

CONSULTATIONS

Conservation and Design: No objection

Economic and Tourism Development Manager: Support Application

Environment Agency: No objection

Marine Management Organisation: Licence Approved

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - CHAPTER 17

The application raises no significant crime and disorder issues.

LOCAL FINANCE CONSIDERATIONS

Under Chapter 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1 (Spatial Strategy for North Norfolk)
Policy SS 5 (Economy)
Policy SS 7 (Cromer)
Policy EN 2 (Protection and Enhancement of Landscape and Settlement Character)
Policy EN 3 (Undeveloped Coast)
Policy EN 4 (Design)
Policy EN 5 (Public realm)
Policy EN 8 (Protecting and enhancing the historic environment)
Policy EN 9 (Biodiversity & Geology)
Policy EN 10 (Development and Flood risk)
Policy EN 13 (Pollution and hazard prevention and minimisation)
Policy CT 3 (Provision and Retention of Local Facilities and Services)
Policy CT 5 (The Transport Impact of New Development)
Policy CT 6 (Parking Provision)

National Planning Policy Framework (NPPF) (2021):

Chapter 6 (Building a strong, competitive economy)
Chapter 7 (Ensuring the vitality of town centres)
Chapter 8 (Promoting healthy and safe communities)
Chapter 9 (Promoting sustainable transport)
Chapter 12 (Achieving well-designed places)
Chapter 14 (Meeting the challenge of climate change, flooding and coastal change)
Chapter 15 (Conserving and enhancing the natural environment)
Chapter 16 (Conserving and enhancing the historic environment)

Supplementary Planning Documents

MAIN ISSUES FOR CONSIDERATION

- 1. Principle of development**
- 2. The effect on the character and appearance of the area**
- 3. The effect on local amenity**
- 4. The effect on the local economy**
- 5. Highway safety and convenience**

APPRAISAL

1. Principle

The site lies within the settlement boundary of Cromer, which is designated as a 'Principal Settlement' by Policy SS 1 and SS 7 of the Adopted North Norfolk Core Strategy. The site also lies within the 'Town Centre' designation where external alterations to buildings are supported in principle subject to compliance with all relevant core strategy policies. Policy CT 3 provides support for new or improved community facilities within Principle and Secondary Settlements. Cromer is a Principal Settlement and theatres are listed within the policy as being an important local facility. The proposed improvements to the theatre are therefore also supported by this policy in principle.

2. Design and Heritage

The proposal seeks the renovation of the existing café and bar, and upgrading of toilets including an accessible toilet. It is also proposed that the two external seating areas located under the eaves on the front/side elevations will be enclosed to provide additional floor space and create more internal footprint to accommodate alterations to other rooms such as the office and store room to increase the theatres operational capacity.

Due to the Pavilion Theatre's status as a Grade II Listed Building, NNDC Conservation and Design Officers were consulted. Overall it is believed that the alterations represent a reasonable compromise between conservation and adaptation of the asset to ensure its future viability. Officers were of the opinion that whilst the reduced overhang and the loss of bench seating under the eaves line is considered unfortunate, this has to be balanced against the required operational improvements of the Theatre. Particularly in the currently challenging environment, enhancing the facilities within the theatre is seen as an important part of securing the future viability of the Grade II listed building as a whole.

In their response Conservation and Design Officers were also mindful of the public objection received relating to design concerns affecting the symmetry of the theatre and the interior design of the bar area shown in the schematic images. As the pavilion is balanced rather than truly symmetrical, the unbalanced window configuration was not considered to be an overriding concern to officers, and the interior décor of the scheme is considered to be outside the limits of the listing and the control of Planning. Therefore, with the plans demonstrating that the alterations are possible without unduly harming its overall significance, Conservation and Design Officers offered no objection to this application.

Therefore, on balance, it is considered that the proposal would result in a modest amount of harm to the heritage asset. However, this is heavily outweighed by the public benefits accruing from the proposals, and therefore this application can be considered compliant under paragraph 202 of the NPPF and Policies EN 2, EN 4, EN 5 and EN 8 of the Adopted Core Strategy.

3. Amenity

The proposal is largely to upgrade the internal facilities of the theatre. The internal changes are therefore unlikely to cause an impact upon the area's amenity. Policy EN 5 requires that within areas designated as Public Realm proposals will be expected to enhance the overall appearance and usability of the area, the proposed alterations and improvements including the provision of accessible toilets are considered to have both public and operational benefits by increasing the theatres usability and enhancing the facilities available.

However, in order to facilitate the internal changes, including the new store room and office space, it is proposed to create additional floor space by enclosing the existing external seating areas located under the eaves of the theatre. A public objection was received raising concerns regarding the loss of the seating. Whilst this is an unfortunate loss of amenity this has been weighed against the overall benefits of the development as outlined above and whilst it cannot be taken into consideration under this application, it is also intended that replacement seating will be provided in the future to maintain the amenity provision.

Overall, the application therefore is considered to comply with Policy EN 4 and EN 5 of the Adopted North Norfolk Core Strategy in terms of amenity.

4. Economy

The Pavilion Theatre is a fundamental asset and attraction to Cromer and invaluable to the North Norfolk visitor economy.

The North Norfolk District Council Economic and Tourism Development Manager supports the application. Following the unprecedented challenges faced by the theatre during the Covid pandemic, the Economic Growth Team recognises that the proposed renovations will introduce operational improvements to the theatre which will aid its business recovery and resilience.

The proposal is considered acceptable under Policy SS 5 of the Adopted North Norfolk Core Strategy as well as Section 6 and 7 of the NPPF (2021).

5. Flooding

The Pavilion Theatre, being located on Cromer Pier, is within Flood Zones 2 and 3 (as defined by the Environment Agency). A Flood Risk Assessment was submitted by the applicant and a consultation request was sent to the Environment Agency (EA). The Flood Risk Assessment sought to demonstrate that there would be no changes to the existing finished floor levels, no change in flood risk vulnerability and no significant increase in the intensity of use.

The EA, having reviewed the submitted documents, offered no objection to the scheme. The proposal is therefore considered acceptable under Policy EN 10 of the Adopted North Norfolk Core Strategy as well as Section 14 of the NPPF (2021).

6. Highway Safety and Convenience

As the proposal is situated with a designated 'Town Centre' location, there are numerous public car parks located close by. It is not expected that this proposal will have an impact upon parking provision in town or traffic movement.

On this basis, the proposal is acceptable under Policy CT 5 and Policy CT 6 of the Adopted North Norfolk Core Strategy as well as Section 9 of the NPPF (2021).

Conclusion and 'Planning Balance'

Whilst some limited harm has been identified in terms of alterations to the heritage asset and the loss sheltered seating, it is considered that this would be significantly outweighed by the public benefits of this scheme - in particular the improved operational capacity for the Theatre and the conservation and adaptation of the heritage asset to ensure its future viability.

The application therefore accords with the relevant policies of the adopted Development Plan as listed above.

The issues raised in letters of representation (summarised above) received, following publicity and consultation carried out in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), have been considered. They do not raise material considerations which outweigh the recommendation to approve.

No consultees have raised objections to the proposals.

RECOMMENDATION:

APPROVAL subject to conditions to cover the matters listed below

- Development in accordance with the approved plans
- Materials

Final wording of conditions to be delegated to the Assistant Director – Planning