

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