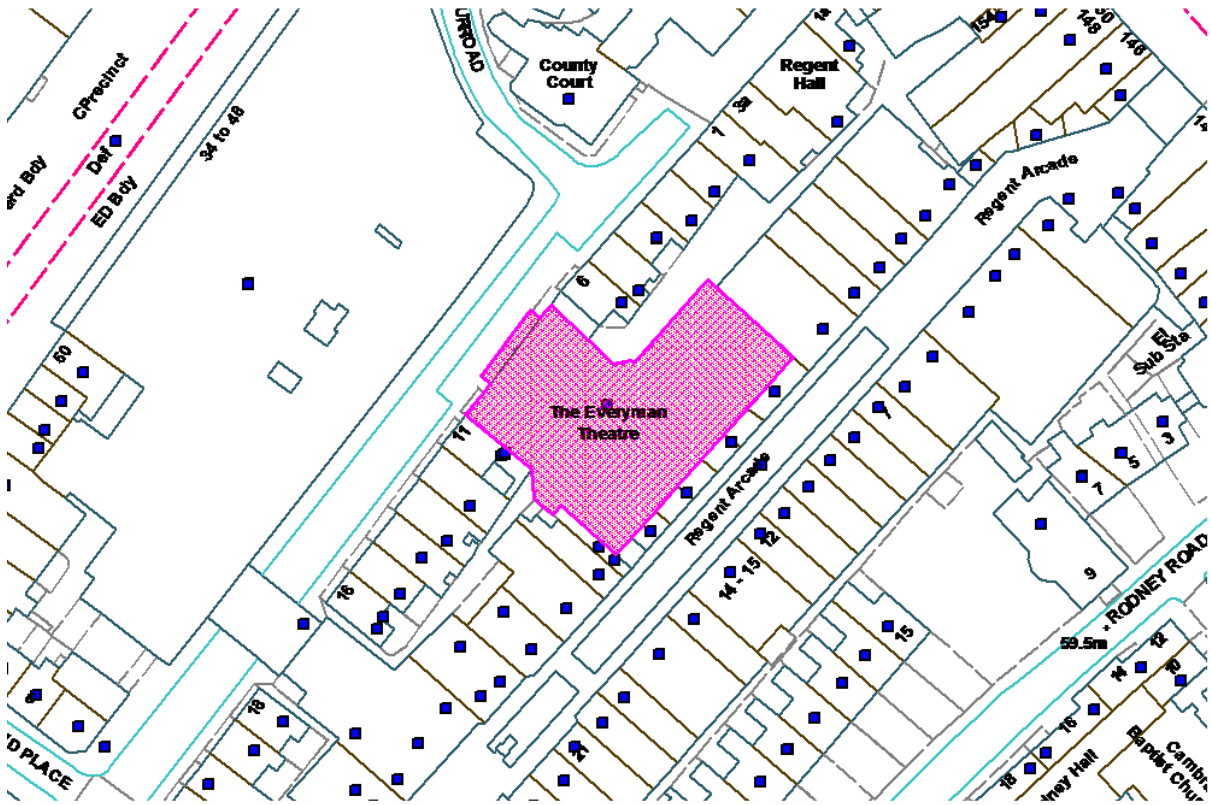


APPLICATION NO: 15/00928/ADV and LBC	OFFICER: Miss Chloe Smart
DATE REGISTERED: 13th June 2015	DATE OF EXPIRY: 8th August 2015
WARD: College	PARISH:
APPLICANT:	Everyman Theatre
AGENT:	
LOCATION:	Everyman Theatre, 7 - 10 Regent Street, Cheltenham
PROPOSAL:	15/00928/ADV: Erection of two internally illuminated matrix display signs 15/00928/LBC: Two 'Messagemaker' display units to ends of canopy at front of theatre

RECOMMENDATION: Grant



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1. DESCRIPTION OF SITE AND PROPOSAL

- 1.1** The application relates to the Everyman Theatre on Regent Street which is a grade II listed building within the Montpellier Character Area of the Central Conservation Area.
- 1.2** The applicant seeks both listed building consent and advertisement consent for the installation of a 'messagemaker' display unit at either end of the canopy to the front of the building. The front elevation of the canopy would remain unaltered. The proposed screens would fit within the sides of the existing canopy and would therefore have a height of 320mm, a width of 1920mm and would project 70mm beyond the face of the canopy.
- 1.3** The proposal is effectively a visual screen which will display a series of messages relating to the theatre. The applicant anticipates a series of 4 to 6 messages would be displayed alternately. Photomontages have been submitted to provide examples of messages which might be displayed on the screens, although this may vary.
- 1.4** The application is before planning committee as Cheltenham Borough Council own the application site.

2. CONSTRAINTS AND RELEVANT PLANNING HISTORY

Constraints:

Conservation Area
Core Commercial Area
Listed Buildings Grade 2
Central Shopping Area
Smoke Control Order

Relevant Planning History:

95/00981/AN 18th January 1996 PER
2 Banners With The Word Everyman On Both Sides

95/00982/LA 18th January 1996 PER
2 Banners With The Word Everyman On Both Sides

98/00700/PF 10th September 1998 PER
Installation Of Satellite Dish And Antenna

98/00708/LA 10th September 1998 PER
Installation Of Satellite Dish And Antenna

99/00486/AI 29th July 1999 GRANT
Illuminated Wall Mounted Fascia Signs and Double Sided Illuminated Projecting Screen

99/00490/LA 17th June 1999 PER
Display Of Illuminated Wall Mounted Fascia Signs

99/00491/LA 17th June 1999 PER
Replacement Of Existing Auditorium Chairs - 17 No

99/50103/FUL 26th April 2000 PER
Internal alterations to create equipment room, erection of three wall mounted antennae and two A/C condensers

99/50104/LBC 26th April 2000 GRANT

Interior alteration to create equipment room, three wall-mounted antennae and two A/C condensers

99/50407/LBC 26th April 2000 GRANT

Interior alterations to create equipment room, three wall-mounted antennae, two A/C condensers

99/50408/FUL 26th April 2000 PER

Internal alterations to create equipment room, erection of three wall mounted antennae and two A/C condensers

01/00857/LBC 24th August 2001 GRANT

Refurbishment and renewal of seats and carpet in auditorium

02/00727/LBC 15th July 2002 GRANT

Internal alterations to facilitate modification of auditorium air conditioning system

04/01159/LBC 1st September 2004 GRANT

Internal alterations including refurbishment of front of house toilets (window alterations omitted following agents letter received on 31 August 2004)

11/01269/LBC 24th October 2011 GRANT

Installation of new external door

12/00743/FUL 18th July 2012 PER

Installation of new external door on Regent Street with a solid timber and glass door

12/00743/LBC 18th July 2012 GRANT

Installation of new external door on Regent Street with a solid timber and glass door

3. POLICIES AND GUIDANCE

Adopted Local Plan Policies

CP 4 Safe and sustainable living

CP 7 Design

BE 9 Alteration of listed buildings

BE 13 Advertisements and signs in conservation areas

Supplementary Planning Guidance/Documents

Central conservation area: Montpellier Character Area and Management Plan (Feb 2007)

National Guidance

National Planning Policy Framework

4. CONSULTATIONS

Heritage And Conservation

29th June 2015

Further to: Application and site visit

Analysis of Site: late 19th C theatre with re-built frontage c.1980s and added glass and ironwork canopy dating from this time. Prominent position on busy back street.

Comments:

1. The principle of installing these signs was discussed at the pre-app stage and the major concern was that the illumination and changing text of the display signs wasn't too intrusive whilst still providing the required service of alerting passers-by to the programme and that the café and theatre were open even when the doors weren't open or lit as it is at night.
2. The proposed usage of the display signs by the applicant is acceptable and will not result in any adverse harm to the building: bright lights and bold displays are part of the character of historic theatre frontages and in my opinion the restrained use of a digital display sign is compatible with the building's function and historic interest.
3. The signs will be fixed to a recent addition to the building so there will be no enduring harm to the historic fabric.
4. A planning condition specifying the acceptable usage of the illuminated signs seems a sensible approach.

Conservation and Heritage summary: support this scheme.

Suggested conditions relating to Conservation and Heritage matters:

No wires, pipe work, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and maintain the character and appearance of the area in which this development is located in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

GCC Highways Planning Liaison Officer

6th July 2015

The site plan is not very accurate in illustrating the location of the proposed signs, however from the photographs attachment the internally illuminated signs are shown to be attached to the underside of the existing canopy on the frontage over facing pedestrians over the footway approaching the theatre in either direction. The site is situated on Regent Street a class 4 road subject to a 30mph speed limit in the centre of Cheltenham. I have no objection to these two displays built into the existing canopy over the footway, with sufficient clearance from pedestrians passing underneath at 3m from the bottom edge of the signage to the footway. The signs additionally do not unduly affect highway safety for drivers not located adjacent to any traffic signals on a narrowed section of highway set back from the carriageway therefore will not be overly distracting.

I refer to the above planning application received on 25th June 2015, with to which no Highway objection is raised.

Note: The proposed signage is above the footway on Regent Street and therefore may be subject require an oversailing licence separate from planning permission.

5. PUBLICITY AND REPRESENTATIONS

Number of letters sent	1
Total comments received	0
Number of objections	0
Number of supporting	0
General comment	0

- 5.1 A site notice has been displayed at the site to advertise the proposals. No letters of representation have been received.

6. OFFICER COMMENTS

6.1 Determining Issues

- 6.2 The main considerations in relation to this proposal are the impact of the proposal on the listed building and highway safety.

6.3 Design and amenity

- 6.4 Local Plan Policy BE12 advises that advertisements will only be permitted where they do not harm visual amenity and public safety. Local Plan Policy BE13 requires advertisements and signs in conservation areas to be appropriate in type, size, colour, illumination, material, design and location.

- 6.5 The proposed signs will be displayed within the existing canopy at the front of the building. Due to the nature of the application, the Council's Conservation Officer has been consulted to consider the impact of the proposal on the listed building.

- 6.6 Overall, the proposed signs are considered acceptable in terms of visual amenity and their impact on the listed building. Bold displays are a feature synonymous with theatre frontages and therefore the illumination of the signs is considered acceptable. The size of the signs is also appropriate, being positioned within the existing canopy at the front of the building.

- 6.7 The Conservation Officer has suggested a condition to ensure the signs are non-flashing albeit the display will change. The applicant has confirmed a maximum of six messages will be displayed, with each message changing every few seconds. Officers do not consider it necessary to attach a condition limiting the number of messages displayed, however a condition has been attached requiring the message to be non-flashing.

- 6.8 The signs are entirely appropriate and compatible with the buildings historic function and interest. As such, the proposal is in accordance with Local Plan Policies BE12 and BE13, together with Local Plan Policy BE9.

6.9 Access and highway issues

- 6.10 Highway safety is a relevant consideration for advertisements. Gloucestershire County Council Highways has raised no objection and the proposed signs, which are not considered to present any highway danger.

7. CONCLUSION AND RECOMMENDATION

- 7.1 Having considered all of the above, the recommendation is to grant both advertisement consent and listed building consent subject to the conditions set out below.

8. CONDITIONS / INFORMATIVES

15/00928/ADV

- 1 This consent shall be restricted to a period of five years from the date of the consent.
Reason: This condition is specified by The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 00928:1, 00928:2 and 00928:4 received 26th May and 12th June 2015.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3
 - (a) No advertisement shall be displayed without the permission of the owner of the site (including land or buildings where the advertisement is displayed), or any other person with an interest in the site entitled to give permission.
 - (b) No advertisement shall be sited or displayed where it would endanger anyone using any highway, railway, waterway, dock, harbour or aerodrome (civil or military); or would obscure or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air; or would hinder the operation of any device used for the purpose of security or surveillance (such as closed circuit television cameras) or for measuring the speed of any vehicle (speed cameras or other speed-measuring device).
 - (c) The advertisement and any land or building used for the purpose of its display or shall be maintained in a reasonably clean and tidy condition so that it does not impair the visual amenity of the site.
 - (d) Any structure or hoarding used for the display of advertisements shall be maintained in a safe condition that does not endanger the public.
 - (e) Where an advertisement is required to be removed, the site shall be left in a safe condition that does not endanger the public and in a reasonably clean and tidy condition so that it does not impair the visual amenity of the site.

Reason: These conditions are specified in Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
- 4 The illumination of the signs hereby permitted shall be static and shall be permanently maintained as such thereafter.
Reason: In the interests of the visual amenities of the area in accordance with Local Plan Policy BE12 relating to advertisements and signs.

INFORMATIVES

- 1 In accordance with the requirements of The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012 and the provisions of the NPPF, the Local Planning Authority adopts a positive and proactive approach to dealing with planning applications and where possible, will seek solutions to any

problems that arise when dealing with a planning application with the aim of fostering the delivery of sustainable development.

At the heart of this positive and proactive approach is the authority's pre-application advice service for all types of development. Further to this however, the authority publishes guidance on the Council's website on how to submit planning applications and provides full and up-to-date information in relation to planning applications to enable the applicant, and other interested parties, to track progress.

In this instance, having had regard to all material considerations, the application constitutes sustainable development and has therefore been approved in a timely manner.

- 2 The applicant is reminded that the proposed signage is above the footway on Regent Street and therefore may be subject to a separate licence from Gloucestershire County Council Highways.

CONDITIONS / INFORMATIVES

15/00928/LBC

- 1 The works hereby granted consent shall be begun before the expiration of five years from the date of this consent.
Reason: To accord with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 00928:1, 00928:2 and 00928:4 received 26th May and 12th June 2015.
Reason: To ensure the development is carried out in strict accordance with the approved drawings.
- 3 No wires, pipe work, satellite dishes or other aerials, alarms or other paraphernalia shall be affixed to the external elevations of the development unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect and maintain the character and appearance of the area in which this development is located in accordance with Local Plan Policies CP3 and CP7 relating to sustainable environment and design, and national guidance set out within the National Planning Policy Framework and the Historic Environment Planning Practice Guide. Careful consideration has been given to the detailed design of this development and its relationship with neighbouring properties.

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