

## WINDSOR URBAN DEVELOPMENT CONTROL PANEL

16 August 2017

Item: 6

<b>Application No.:</b>	17/01820/FULL
<b>Location:</b>	Theatre Royal 31 - 32 Thames Street Windsor SL4 1PS
<b>Proposal:</b>	Removal of obsolete rooftop smoke vent and replacement with modern automatic opening vents integrated with the existing modern smoke detection.
<b>Applicant:</b>	Mr Searle
<b>Agent:</b>	Ms Deniz Beck
<b>Parish/Ward:</b>	Windsor Unparished/Castle Without Ward
<b>If you have a question about this report, please contact:</b> Susan Sharman on 01628 685320 or at <a href="mailto:susan.sharman@rbwm.gov.uk">susan.sharman@rbwm.gov.uk</a>	

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<b>If you have a question about this report, please contact:</b> Julia Foster on 01628 683796 or at <a href="mailto:julia.foster@rbwm.gov.uk">julia.foster@rbwm.gov.uk</a>	

### 1. SUMMARY

- 1.1 The application seeks planning permission and Listed Building consent to replace the existing sliding smoke vents on the main roof of the theatre with three new automatic opening smoke vents. The Conservation Officer has advised that the proposal is acceptable from a Listed Building and Conservation Area aspect.

**It is recommended that the Panel grants listed building consent (17/00857/LBC) and planning permission (17/01820) with the conditions listed in Section 9 of this report.**

### 2. REASON FOR PANEL DETERMINATION

The Council's Constitution does not give the Head of Planning delegated powers to determine these applications as the building is owned by the Council. Such decisions can only be made by the Panel.

### 3. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 3.1 The Theatre Royal is located on the north-west side of Thames Street, facing Windsor Castle. The property is a Grade II Listed Building which is situated within the Windsor Town Centre Conservation Area, the list description reads as follows:

*5130 (West Side) Theatre Royal SU 9677 SE 1/228 II GV 2. Built 1903, by Sir William Shipleigh. Interior refurbished after fire in 1910. Tall 3 storey ashlar*

*front with slight Jacobean detail. Deep frieze, cornice, parapet with swept coping and tapered square finials. Stone mullioned transomed tall windows, 5 lights in centre, 2 lights to sides. Broad entrance and glazed canopy on east iron columns over pavement. Nos 28 to 30(consec) and THE THEATRE ROYAL form a group.*

3.2 The hipped roof over the stage area of the theatre is covered with slates and the north side of the roof has an existing large sliding metal and corrugated iron smoke hatch. The hatch lets smoke escape out of the theatre in the event of a fire; a health and safety requirement. This is currently opened (with difficulty) using chains but is very heavy and slow. The hatch can just be seen from River Street and the Riverside Car Park, but is not prominent in those views.

#### **4. DESCRIPTION OF THE PROPOSAL AND ANY RELEVANT PLANNING HISTORY**

4.1 It is proposed to replace the current smoke hatch with a new mechanically opening grey aluminium door system which is of similar dimensions, but slightly lower than the existing hatch. The proposed replacement smoke vents are required for health and safety reasons.

<b>Ref.</b>	<b>Description</b>	<b>Decision and Date</b>
95/02006/LBC	Installation of new safety guardrail around parapet wall to fly tower.	Permitted 28.2.1996
06/01680/LBC	Replace exiting external fire escape staircase and roof sections, partial repair of brickwork to parapet wall, repoint flank wall, partial renewal of rainwater goods, internal alterations to first floor to form wheelchair accessible WC.	Permitted 19.9.2006

#### **5. MAIN RELEVANT STRATEGIES AND POLICIES RELEVANT TO THE DECISION**

5.1 National Planning Policy Framework Sections 7 and 12

Applications for Listed Building Consent should take into account the Planning (Listed Building and Conservation Area s) Act 1990, S16 and 66.

Applications within Conservation Areas should take into account the Planning (Listed Building and Conservation Area) Act 1990- S72

Also Historic England's; 'Managing Significance in Decision-Taking in the Historic Environment' and 'Making Changes to Heritage Assets,' and 'Conservation Principles 2008',

##### **Royal Borough Local Plan**

5.2 The main strategic planning considerations applying to the site and the associated policies are:

Within settlement area	Conservation Area	Listed Building
DG1	CA2	LB2

These policies can be found at:

[https://www3.rbwm.gov.uk/downloads/download/154/local\\_plan\\_documents\\_and\\_appendices](https://www3.rbwm.gov.uk/downloads/download/154/local_plan_documents_and_appendices)

### **Borough Local Plan: Submission Version**

Issue	Local Plan Policy
<b>Design in keeping with character and appearance of area</b>	<b>SP2, SP3</b>
<b>Historic Environment</b>	<b>HE 1</b>

The NPPF sets out that decision-makers may give weight to relevant policies in emerging plans according to their stage of preparation. The Borough Local Plan Proposed Submission Document was published in June 2017. Public consultation runs from 30 June to 26 August 2017 with the intention to submit the Plan to the Planning Inspectorate in October 2017. In this context, the Borough Local Plan: Submission Version is a material consideration, but limited weight is afforded to this document at this time.

This document can be found at:

<http://rbwm.moderngov.co.uk/documents/s14392/Appendix%20A%20-%20Borough%20Local%20Plan%20Submission%20Version.pdf>

### **Supplementary planning documents**

5.3 Supplementary planning documents adopted by the Council relevant to the proposal are:

- 1 The Windsor Town Centre Conservation Area Appraisal.

## **6. EXPLANATION OF THE RECOMMENDATION**

6.1 The key issues for consideration are:

### **Listed Building application**

- i Impact on the Listed Building;

### **Planning Application**

- ii Impact on the character of the Conservation Area.

### **Considerations for the Listed Building Application- Impact on the Listed Building**

6.2 The existing vents are not considered to be an important part of the significance of the listed building, however they are part of the recent history of the building so should be recorded prior to their removal. It is proposed to replace the existing manually operated, heavy sliding vents with a modern automated system consisting of three aluminium casement-style double vents, fitted over the existing opening. The

top of the new vents will be around 200mm lower than the existing making them less visible. The new vents would be fully integrated with the existing fire detection and alarm systems to efficiently deal with emergency situations without unnecessary danger to staff or the public.

- 6.3 The proposed new vents will have less impact than the existing due to their design, materials and reduced dimensions. As such the proposal will not adversely affect the character of the listed building or its historic fabric and complies with Policy LB2 of the Local Plan.

**Considerations under the planning application- Impact on the Conservation Area and Setting of Listed Building**

- 6.4 The rear of this building is visible from River Street and the adjoining car park. However, the new vents will have less impact than the existing due to their design, materials and reduced dimensions. Accordingly, the proposal will preserve the character and appearance of the Conservation Area and Setting of the Listed Buildings.

**7. CONSULTATIONS CARRIED OUT**

**Comments from interested parties**

15 occupiers were notified directly of the application. Site notices advertising the applications were posted at the site on the 16<sup>th</sup> May 2017 and the application was advertised in the Maidenhead & Windsor Advertiser on the 6<sup>th</sup> April 2017.

No letters of representation have been received.

**Consultee responses**

Consultee	Comment	Where in the report this is considered
Conservation Officer	The proposed replacement smoke hatch will be less visible than the existing and this is considered to be an acceptable alteration from the listed building and conservation area aspects.	6.2-6.4
Historic England	Pending response.	To be reported in Panel Update
Environmental Protection	No objections.	Noted.
Highway Authority	The proposal raises no highway concerns.	Noted.

**8. APPENDICES TO THIS REPORT**

- Appendix A - Site location plan

- Appendix B – Existing and proposed elevation and roof plan

## **9. CONDITIONS RECOMMENDED FOR INCLUSION IF PERMISSION IS GRANTED**

### **9.1 For application 17/00857/LBC:**

- 1 The works/demolition shall commence not later than three years from the date of this consent.  
Reason: In accordance with the requirements of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and to avoid unimplemented consents remaining effective after such lapse of time that relevant considerations may have changed.
- 2 No works shall commence until a record of the existing smoke hatch and associated mechanism to Level 2 as set out in Understanding Historic Buildings, A Guide to Good Practice (Historic England 2016) has been submitted to and approved by the Local Planning Authority in writing. Reason: To ensure that a proper record of the historic building is achieved. Relevant Policies - Local Plan LB2.
- 3 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.

### **9.2 For application 17/01820/FULL:**

- 1 The development hereby permitted shall be commenced within three years from the date of this permission.  
Reason: To accord with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The materials to be used on the external surfaces of the development shall be in accordance with those specified in the application unless any different materials are first agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.  
Reason: In the interests of the visual amenities of the area. Relevant Policies - Local Plan DG1, LB2, CA2.
- 3 The temporary hoist for the roof works, including the scaffolding, indicated on the approved plans shall be removed from the site within one month of the installation of the vents hereby approved.  
Reason: To protect and preserve the character and appearance of the listed building and conservation area. Relevant Policies - Local Plan LB2, CA2.
- 4 The development hereby permitted shall be carried out in accordance with the approved plans listed below.  
Reason: To ensure that the development is carried out in accordance with the approved particulars and plans.