

MC/19/2763

Date Received: 18 October 2019

Location: Theatre Royal 102 And 106 High Street Chatham Medway

Proposal: Listed Building Conversion for alterations to building to provide smaller restaurant (Class A3) premises on ground floor and formation of 3 flats (1 x one bedroom and 2 x two bedroom) with provision of access to flat 2 (102) via 106 High Street and installation of roof light to side and additional window and alteration to door at ground floor side; glass screen doors to provide security to existing entrance and provide associated parking to rear - Resubmission of MC/19/1750

Applicant Mr Roger Thomas

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Ward: River Ward

Case Officer: Doug Coleman

Contact Number: 01634 331700

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 4th March 2020.

Recommendation - Approval with Conditions

- 1 The development and works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 The alteration to the listed building hereby permitted shall be carried out in accordance with the following approved plans:

Drawing numbers: TR/1605/100 REV A and TR/1605/101 REV A received on 18 October 2019; TR/0310/010 REV D, TR/0310/030 REV A and TR/0310/015, and Brief Description of Proposed Works received on 6 February 2020.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 No works in relation to the alteration of the building shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

- A mock up at scale of 1:1 (approx 500 - 600mm²) showing how the stairs are to be boxed in.
- 1:20 elevations and sections showing each window and door type, including the proposed new door to the side stage entrance into lobby area.
- 1:20 elevations showing the proposed lunettes that including materials and finishes.
- Details of the position of roof lights.
- Details of infilling door to and new opening in flat 3.
- Details of the extraction and ventilation systems for kitchens, bathrooms and other rooms.
- 1:20 sectional elevations of mezzanine, both transverse and longitudinal sections, including details of how the mezzanine connects with the wall and floor.

Reason: Required before commencement of development to ensure that the integrity of the listed building is retained and in accordance with Policy BNE17 of the Medway Local Plan 2003.

- 4 Photographs showing all works regarding encasement of historic staircase before, during and after completion, shall be submitted to and agreed by the Local Planning Authority with 2 months of the completion of the work and shall thereafter be retained.

Reason: To ensure that this important feature of the listed building is retained and protected both during and upon completion of the works and in accordance with Policy BNE17 of the Medway Local Plan 2003.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seeks Listed Building Consent for alterations to the former Theatre Royal, 102 High Street, Chatham, to facilitate the formation of 3 flats with the building proposed under planning application MC/19/2762.

The submitted drawings show the following alterations:

Manor Road Elevation

- A) Two arched windows (M1 and M2) inserted into elevation to provide light to the front part of the ground floor which is to remain in Class A3 use. Windows have been designed to match existing window.
- B) Side entrance pair of doors replaced with a single ledge and braced hardwood door and with side glazed panel.

Ground floor front – restaurant

- C) Erect sound, fire rated partition to separate premises at front from Flat 2 (rear).
- D) Erect stud partitioning to form kitchen and toilet areas including all necessary fittings etc. Window M2, mentioned above (A), will be installed to provide light to the kitchen.

Flat 2 (Ground floor rear)

- D1) Form increased entrance door D1 opening from rear area and insert new door with sidelight.
- E) Transform existing toilet area to kitchen including fit out.
- F) Install stud partition between lobby and new cloakroom incorporating shower. Glass screen to form inner lobby to entrance area.
- G) Form structural opening by removing part of existing wall to gain access to bedroom and infill with glass screen.
- H) Install stud partitions to create separation of rooms including glass screens as illustrated.
Cut 3 openings into wall to car park, adjacent to stairs and insert windows (W1, W2 and W3) as shown on drawing (TR/0310/030/Rev A).
- I) Construct a separation noise and fire soffit wall across stair to separate Flat 2 and Flat 4. The existing stair balustrade to be encased with a separating void created.

Flat 3 (First floor and part of mezzanine)

Access to this Flat is via Manor road entrance.

- J) Raise floor area by approx. 150mm to suite inner threshold level of Manor road entrance.
- K) New entrance door adjacent to new lobby area.
- L) Erect stud a partition to a form a utility area.

Erect stud a partition to isolate main bedroom and on-suite etc.

- M) Construct small staircase between differing floor levels adjacent to Utility Room.

N) Form mezzanine level within main hall, whilst ensuring to maintain existing finishes to walls and ceiling.

Construct timber access stairs to mezzanine.

O) Provide kitchen.

Flat 3 (Mezzanine)

P) Partitioning to form bedroom and en-suite to stop short of ceiling to avoid damage to existing finishes.

Flat 4 (First floor)

This unit is formed over 3 levels plus existing mezzanine with access via Manor road entrance.

J) Raise floor area by approx. 150mm to suite inner threshold level of Manor road entrance.

Q) Install new entrance door adjacent to new lobby area.

Form 4 new window openings to the rear elevation at various levels (W4, W5, W6 and W7).

R) Create new floor over Flat 2 to form kitchen area, cloakroom and to infill stairwell.

Flat 4 (Second level – mezzanine)

S) Increase existing door opening as detailed on the second level to form open area.

T) Infill existing door opening to main area first floor.

Flat 4 (top level)

U) Construct timber sound and fire rated partitions to encase stairs and to form top level bedroom and bathroom areas.

V) Remove ceiling above stairs and raise level incorporating sloping soffits to make room to insert small mezzanine with access stairs to create mini cinema.

Generally

All premises to be provided with full electrical services and sprinkler system to the stairs of flat 4. All necessary plumbing. Decorations to a high standard.

Relevant Planning History

MC/19/2762	Conversion of existing restaurant to building to provide smaller restaurant (Class A3) premises on ground floor and formation of 3 flats (1 x one bedroom and 2 x two bedroom) with provision of access to flat 2 (102) via 106 High Street and installation of roof light to side and additional window and alteration to door at ground floor side; glass screen doors to provide security to existing entrance and provide associated parking to rear - Resubmission of MC/19/1749 Pending decision
MC/14/3676	Formation of studio flat to the ground floor and part change of use of the bank premises from A3 (Restaurants and Cafes) and A4 (Drinking establishments) usage to C3 (Residential) Approved 11 February 2015
MC/13/1336	Change of use of all floors of 106, ground of 102 and 104, and first floor and second floors of 104 to mixed A3 (restaurants & cafes) and A4 (drinking establishments) use and first floor and second floors of 102 and third floor of 104 2no. two bedroom flats, together with the construction of a 3 storey rear extension, infilling an existing recessed area, and provision of parking and bin storage area to the rear. Approved with Condition 12 September, 2013
MC/13/1341	Listed building consent for alterations to internal layout to facilitate change of use of all floors of 106, ground of 102 and 104, and first floor and second floors of 104 to mixed A3 (restaurants & cafes) and A4 (drinking establishments) use and first floor and second floors of 102 and third floor of 104 2no. two bedroom flats, together with the construction of a 3 storey rear extension, infilling an existing recessed area, and provision of parking and bin storage area to the rear. Approved With Conditions 12 September, 2013
MC/12/2792	Application for the removal of conditions 22, 23 and 24 of application MC/11/1227 at 102-106 High Street Chatham (related to renovation works to the remaining Theatre Royal building and adjacent former Bank Chambers and the construction of 26no. new dwelling units to the rear of the remaining Theatre Royal building.) Approved With Conditions 24 April, 2013
MC/06/0237	Listed Building consent to demolish the auditorium and building to the rear Approved with Conditions 31/05/2006

Representations

The application has been advertised on site and in the press as the application relates to alterations to a listed building, and by individual neighbour notification to the owners and occupiers of neighbouring properties. No representations have been received relating to the alterations to the listed building.

Development Plan

The Development Plan for the area comprises the Medway Local Plan 2003 (the Local Plan). The policies referred to within this document and used in the processing of this application have been assessed against the National Planning Policy Framework 2019 and are considered to conform.

Listed Building Consent Appraisal

Impact on heritage asset

Policy BNE17 of the Local Plan states that *alterations, extensions, conversions or changes of use affecting a Listed Building will not be permitted if they are:*

- (i) Detrimental to the architectural or historic character of the building; or*
- (ii) Unsympathetic in design, scale, appearance and use; or*
- (iii) Do not retain original features and materials.*

Paragraphs 189-196 of the NPPF relate to the consideration of proposal affecting heritage assets, which includes Listed Buildings. Paragraph 196 states that – *where a development will lead to less than substantial harm, this harm should be weighed against the public benefits.*

The Theatre Royal is a Grade II Listed Building, first listed on 5 October 1988 and last amended on 7 March 1997. Historic England's Listing Description, which pre-dates the grant of Listed Building Consent to demolish the auditorium in 2006 (MC/06/0237) describes the building as follows:

“Theatre. 1899, by G E Band, damaged by fire c1965. Painted faience tiles and moulded decoration, yellow stock brick with red brick dressings and hipped slate roof. Free Italianate style with Moorish turrets.

Plan: Deep rectangular site with front foyer and rear auditorium at right angles.

Exterior: foyer section 2 storeys, 2 bay range. Entrance has mid C20 altered ground floor, an open first floor arcade of 2 paired round arches with balustrade and enriched capitals, dentil cornices to ground and first floors extend to the right return, and a raised open pediment with a central plinth flanked by octagonal Moorish domes: behind the arcade are 4 round arched casements as the front with moulded surrounds and glazing bars. The

right hand return includes 2 first floor sashes and a central lateral stack with curved side supports and ball finials, behind are 2 further brick linking sections of 3 and 4 windows; the back of the large rear auditorium has a central square tower fronted by a pediment to the street, with a raking roof each side up to a tall hipped roof with square cupola vents over the proscenium, and a raking lower roof behind to the auditorium. Irregular rear elevation.

Interior: auditorium has a central dome with decoration of plaster work swags and 2 tiers of balconies. The upper tier has painted plaster panels and moulded cherubs. The lower tier is much damaged but has decoration of cherubs, swags and console brackets. The boxes have been removed and the proscenium arch blocked up. The balconies are supported on cast iron columns, but the ground floor ones are encased in concrete. No seating remains. The foyer retains one tiled panel, probably representing one of Shakespeare's female characters. Original staircase with twisted balusters and column newel. Former bar ceiling has characters. Original staircase with twisted balusters and column newel. Former bar ceiling has strapwork decoration and coved cornice. Top floor retains some floral tiled panels and dado rail.

Shop front post-dates original theatre entrance”

Parts of this description relate to the auditorium which has been demolished.

Two of the important features mentioned in the Listing Description are the front façade, which is to be retained intact with no alterations and the original staircase. Under the proposal this staircase would be retained, but be encased to separate flats 2 and 4. This would ensure that staircase is retained.

The only other alterations which would affect the character of the building are the introduction of new windows in the side elevations. It is considered that these windows have been designed to respect the character and appearance of the building.

Having regard to the above considerations, it is considered that the proposed alterations would not be detrimental to the character of the building, would not be unsympathetic and would retain original features. No objection is, therefore raised under Policy BNE17 of the Local Plan and Paragraph 196 of the NPPF and the application is recommended for approval.

Conclusions and Reasons for Approval

The proposal would comply with Policy BNE17 of the Local Plan and Paragraph 196 of the NPPF and the application is recommended for approval.

The application would normally be determined under delegated powers but is being referred for Committee determination due to the number of representations received to the associated application for planning permission, expressing a view contrary to officer's recommendation.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess1.medway.gov.uk/online-applications/>