

Item No 07:-

18/01126/ADV

**The Barn Theatre
Beeches Road
Cirencester
Gloucestershire
GL7 1BN**

Item No 07:-**Proposed illuminated displays on one elevation at The Barn Theatre Beeches Road Cirencester Gloucestershire GL7 1BN**

Advert Application 18/01126/ADV	
Applicant:	The Barn Theatre
Agent:	Clark & Maslin
Case Officer:	Ullin McStea
Ward Member(s):	Councillor Joe Harris
Committee Date:	13th June 2018
RECOMMENDATION:	REFUSE

Main Issues:

- (a) Amenity
- (b) Public Safety

Reasons for Referral:

This application has been referred at the request of Councillor Robbins. A reason for referral has been requested but had not been received at the time of writing the report.

1. Site Description:

The Barn Theatre is a curtilage listed stone building that was constructed by the late 19th century. It is curtilage listed to a substantial property (house) formerly known as 'The Beeches' and 'Ingleside' which dates back to the late 18th but with further modifications and additions in the 19th and early 20th centuries. Although not located on one of the main routes through Cirencester, the Barn Theatre is clearly visible from the London Road. It is situated in Cirencester's South Conservation Area.

2. Relevant Planning History:

18/00316/LBC - New Signage - permitted March 2018

17/05165/ADV - New Signage - permitted March 2018

3. Planning Policies:

LPR15 Conservation Areas
LPR42 Cotswold Design Code
LPR46 Privacy & Gardens in Residential Deve
NPPF National Planning Policy Framework

4. Observations of Consultees:

The Council's Environmental and Regulatory Services were verbally consulted and raised no objection but recommended that a condition is imposed to restrict the illumination hours to the operating hours of the theatre.

5. View of Cirencester Town Council:

No objection to the proposed illuminated displays, as the displays will enhance the existing building and support the buildings purpose as a theatre, subject to soft back lighting been used.

6. Other Representations:

No comments received at the time of writing the report.

7. Applicant's Supporting Information:

Justification Statement

8. Officer's Assessment:

Proposal

This application is for the installation of 4 internally illuminated panels to the southwest elevation of The Barn Theatre in Cirencester. This is the second set of applications this year related to the signage on this site; the earlier applications were initially for externally illuminated lettering to two elevations as well as the internally illuminated panels proposed in the current application.

Following concerns expressed by the Conservation and Design Team about the impact of the proposed scheme on the curtilage listed building and the character and appearance of the conservation area, discussions were had with the applicant and subsequently new proposals were submitted. Consent and permission were given for an amended scheme (which included externally illuminated lettering and notice boards) in March 2018.

The new applications are for the internally illuminated signs withdrawn from the original scheme.

Policy and Legislation

Paragraph 67 of the National Planning Policy Framework (NPPF) states that "only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts".

Policy 48 of the Cotswold District Local Plan reflects national guidance and states that consent will not be given for advertisements that are harmful to amenity or public safety and that signage must respect the design, scale, features, function and setting.

The Barn Theatre is situated with Cirencester South Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990.

Section 12 of the National Planning Policy Framework (NPPF) requires Local Planning Authorities to take account of the desirability of sustaining or enhancing the significance of heritage assets. In particular, paragraph 132 states that when considering the impact of a proposal on the significance of a designated heritage asset, such as a Conservation Area, great weight should be given to the asset's conservation. It also states that significance can be harmed through alteration or development within its setting. Paragraph 134 states that where proposals will cause harm to the significance of a designated heritage asset that is less than substantial harm, that harm is weighed against the public benefits of those works.

Policy 15 of the Cotswold District Local Plan states that development must preserve or enhance the character or appearance of the area as a whole, or any part of that area. It states that

development will be permitted unless new or altered buildings are out-of-keeping with the special character or appearance of the area in general or in a particular location (in siting, scale, form, proportions, design or materials).

Section 7 of the NPPF requires good design. Paragraph 58 states that decisions should ensure that developments: function well in the long term and add to the overall quality of the area; establish a strong sense of place, creating attractive and comfortable places; and respond to local character and history, reflecting the identity of the surroundings and materials, whilst not stifling innovation.

Policy 42 (Cotswold District Design Code) of the Cotswold District Plan 2001-2011 (the Local Plan) requires that development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of the Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship.

The fourth core planning principle of the NPPF states that planning should always seek a good standard of amenity for all existing and future occupants of land and buildings. Policy 46 (Privacy and Gardens in Residential Development) of the Local Plan requires that new development should provide adequate areas of open space around dwellings, so as to ensure reasonable privacy, daylight, and adequate private outdoor living space.

The emerging policies of the Cotswold District Draft Local Plan 2011-2031 are now afforded at least moderate weight. Emerging Policy EN1 seeks to protect, conserve and enhance the historic and natural environment. Emerging Policy EN2 requires development to accord with the new Cotswolds Design Code such that proposals should be of a design quality that respects the character and distinctive appearance of the locality. Emerging Policy EN10 requires proposals to sustain and enhance the character, appearance and significance of designated heritage assets and their settings, including listed buildings and conservation areas; unless clear public benefit from the proposal outweighs the harm. Emerging Policy EN11 relates solely to conservation areas and seeks to preserve and enhance the special character and appearance of it.

Assessment

(a) Amenity

This proposed illumination of the signs, the number of them, their size and their position in the centre of the south west elevation of The Barn Theatre would form a starkly modern and overly dominant feature that would detract from simple vernacular appearance of this historic curtilage listed building.

The internally illuminated signs would also be extremely visually prominent within this predominantly residential conservation area and as such appear discordant and out of place. As such they would fail to preserve the character and appearance of the conservation area.

It is considered that the four proposed illuminated displays in this application are harmful to the curtilage listed building. Because of the impact on the curtilage listed building and the conservation area, it is considered that the proposed impact will not preserve the public amenity of the area.

(b) Public Safety

The proposed signage would not distract highway users and nor compromise highway safety. The proposed signs are not therefore considered to present a hazard to pedestrians or motorists and would accord with both the NPPF and policy 48 of the Local Plan in this respect.

9. Conclusion:

For the reasons above, it is considered that this proposal is harmful to the curtilage listed building, The Barn Theatre, as well as to the character and appearance of the Cirencester South Conservation Area.

Although it is believed that the internally illuminated signs will cause harm, it is considered that this harm would fall into the category of 'less than substantial harm' in terms of the relevant section of the NPPF, and as Paragraph 134, which states that less than substantial harm should be weighed against the public benefits of the proposal, needs to be applied. It should also be noted however, that in this weighing up process, according to the NPPF, 'great weight' should be given to the assets conservation.

The public benefit of a successful cultural venue within Cirencester is not in doubt; however a scheme that includes externally illuminated signage for the Barn Theatre was given consent two months ago. No information on increased public benefit of internally illuminated signage has been provided to balance against the harm that these proposed additions will cause the heritage assets.

10. Reasons for Refusal:

The Barn Theatre is curtilage listed to the grade II listed 5 Beeches Road. The Barn Theatre is also situated within the Cirencester (South) Conservation Area, wherein the Local Planning Authority is statutorily obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the area, in accordance with Section 72(1) of the Planning (LBCA) Act 1990.

The proposals are for the installation of four internally illuminated advertising panels on the south west elevation of the Barn Theatre. These panels, by virtue of their number, size, position and luminosity would be harmful to the simple vernacular character of the curtilage listed building. They would also contribute to a cumulative degradation of the character and appearance of the conservation area, though this harm and degradation would be less than substantial. The proposal would thereby fail to preserve or enhance the significance of the designated heritage assets; no evidence of mitigating public benefit has been provided.

The proposals thus conflicts with Section 72(1) of the Planning (LBCA) Act 1990, the National Planning Policy Framework and Local Plan Policies 15, 42 and 48.