

Recommendation Report for Listed Building Consent for Alterations, Extension or Demolition

REF NO: BR/220/13/L

LOCATION: Picturedrome Cinema
51 Canada Grove
Bognor Regis

PROPOSAL: Application for Listed Building consent for the conversion of redundant space at first floor level to create Screen 3 seating up to 45 persons

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION

As above. The changes are all internal with the exception of the proposed solar grey reflective film to cover the 3 east facing first floor windows.

This application has been submitted by a district councillor.

TOPOGRAPHY

Predominantly flat.

TREES

None of any significance affected by the proposed development.

BOUNDARY TREATMENT

Open frontage to Linden Road and Canada Grove. Boundaries abutting properties to north, west and south consist of variable heights of walls and fences.

SITE CHARACTERISTICS

The Picturedrome Cinema stands on the junction of Canada Grove and Linden Road. The building was originally constructed in 1885 as the New Assembly Halls and this comprised a main hall together with various meeting and lecture rooms.

CHARACTER OF LOCALITY

A town centre location in a commercial area. Residential properties along Canada and Linden Road. Railway Station opposite.

RELEVANT SITE HISTORY

BR/182/09/L	Listed Building Consent to convert main cinema to 3 residential units, enlarge existing flat, demolish non original additions to the rear (west) & South elevation, restore original 1885 window openings & rebuild one rear fire escape	Refused 02-10-2009
BR/147/11/L	Application for Listed Building Consent for	Approve

alterations to internal fire doors & wall linings,
external emergency light fittings.

31-08-2011

BR/56/11/L

Application for listed building consent for the
erection of security gates and fences

ApproveConditionally

12-10-2011

BR/228/12/CLE

Application for Certificate of Lawfulness for
an existing use - Use as a first floor flat.

Withdrawn

17-01-2013

None.

REPRESENTATIONS

Representations received:

Bognor Regis Town Council

Bognor Regis Town Council - stated "no comment".

Conservation Area Advisory Committee - no comments received.

Comments on Representations received:

Comments noted.

CONSULTATIONS

Listed Building Officer

Conservation Officer

Consultations responses received:

Historic Buildings Adviser - no objection on the basis that historic fabric is not being harmed and that the changes proposed are designed to be reversible. Please condition details of film used to cover windows.

Conservation Officer - it is considered that the proposal will not have a detrimental impact on the character or appearance of the Conservation Area. However, it is considered that details of the film used to cover windows should be conditioned.

Comments on Consultation responses:

Comments noted. A condition will be applied in respect of the reflective film.

POLICY CONTEXT

Designation applicable to site:

Within Built up Boundary;

Conservation Area;

Listed Building Grade II; and,

Building or Structure of Character.

DEVELOPMENT PLAN POLICIES

[Arun District Local Plan 2003:](#)

AREA2
GEN22

Conservation Areas

Buildings or Structures of Character

PLANNING POLICY GUIDANCE

NPPF

National Planning Policy Framework

SUPPLEMENTARY POLICY GUIDANCE

SPD2	Conservation Areas
SPD9	Buildings or Structures of Character

POLICY COMMENTARY

The above policies combine to describe the criteria against which the application will be assessed particularly with specific regard to impact upon the Listed Building.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 16(1) of the Planning (Listed Buildings & Conservation Areas) Act 1990 states:

"In considering whether to grant Listed Building Consent for any works, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Where the building is located in a Conservation Area, Section 71(1) of the Act states:

"In the exercise, with respect to any buildings or other land in a Conservation Area of any powers (under the Planning Acts), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The proposal is considered to comply with these criteria in that it is not considered to materially affect the character or the setting of the Grade II Listed Building or the character of the Conservation Area.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

THE PROPOSAL

The proposed conversion of existing redundant space to a new screen (for 45 persons) is entirely internal with the exception of a film to cover the inside of the windows and thus prevent light from entering the space. The details of this film will be conditioned. The internal changes consist of seating on tiered levels formed of 22m ply boarding screwed to a timber frame below. The frame is to be kept clear of existing wall surfaces and will be finished in carpet. The windows will also be fitted with removable internal insulated shutters.

ASSESSMENT

On the basis that the historic fabric of this building is not being harmed and that the changes proposed are designed to be reversible, there is no objection to the proposed works by the Council's Historic Buildings Adviser.

It is considered desirable to keep the listed building in an active use and in such a use that continues to benefit the local community. For these reasons, the changes are considered acceptable in listed building terms and it is recommended that this Listed Building Consent be

approved subject to the following conditions.

HUMAN RIGHTS ACT

The Council in making a decision should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as Arun District Council to act in a manner, which is incompatible with the European Convention on Human Rights.

Consideration has been specifically given to Article 8 (right to respect private and family life) and Article 1 of the First Protocol (protection of property). It is not considered that the recommendation for approval of the grant of permission in this case interferes unreasonably with any local residents' right to respect for their private and family life and home, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation for approval is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

DUTY UNDER THE EQUALITIES ACT 2010

Duty under the Equalities Act 2010

In assessing this proposal the following impacts have been identified upon those people with the following protected characteristics (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation).

The proposal would have a neutral impact on the protected characteristics.

RECOMMENDATION

APPROVE CONDITIONALLY

- 1 The works for which Listed Building Consent is hereby granted must be begun not later than the expiration of 3 years beginning with the date of this consent.

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

- 2 The first floor conversion of the cinema to create Screen 3 seating for up to 45 persons hereby approved shall be implemented in accordance with the plans & details received, namely: "Design & Access Statement and Heritage Statement" (20/09/13); "Site Location Plan" Ref 11248.01; "Existing Ground Floor and Block Plan" Ref 11248.07; "Existing First Floor Plan" Ref 11248.08; "Existing Roof Plan" Ref 11248.09; "Detailed Plan" Ref 11248.10; and, "Detailed Section and Details of Window Treatment" Ref 11248.11.

Reason: To enable the Local Planning Authority to exercise comprehensive control over the details of the proposed development in accordance with the National Planning Policy Framework.

- 3 No development shall take place unless and until details of the grey solar reflective film used to cover the windows shown on Drawing Ref 11248.11 have been submitted to and approved by the Local Planning Authority and the film shall be provided in accordance with the approved details.

Reason: To enable the Local Planning Authority to exercise the necessary statutory control over works likely to affect the character of the Listed Building in accordance with the NPPF.