

[06] Full Planning Permission

S/153/00936/ 24 **APPLICANT:** East Lindsey District Council,

VALID: 19/06/2024 **AGENT:** LK2 Architects Ltd.,

PROPOSAL: Planning Permission - Extensions and alterations to existing theatre.

LOCATION: THE EMBASSY THEATRE, GRAND PARADE, SKEGNESS, PE25 2UG

1.0 REASONS FOR COMMITTEE CONSIDERATION

1.1 The application is required to be determined at planning committee for reasons of openness and transparency in decision making because the applicant and site owner is East Lindsey District Council

2.0 THE SITE AND SURROUNDINGS

2.1 The site comprises the Embassy Theatre, located on Grand Parade in Skegness. A theatre has been located on the site since 1926 and the building has been significantly altered and extended over the years. The site is within the Coastal Zone and within the Skegness Foreshore.

2.2 The site is owned by East Lindsey District Council.

3.0 PROPOSED DEVELOPMENT

3.1 Planning permission is sought for extensions and alterations to the theatre building. Extensions are proposed for four locations around the building. Internal alterations are also proposed, but because the building is not listed, permission is not required for these alterations.

The external alterations proposed are:

- Alterations to the existing main entrance feature including a new metal structure on which to mount a new sign.
- Two storey extension to the southern service yard, in order to form an additional pedestrian entrance.
- Improvements to the west entrance facing the Embassy Car Park to form VIP entrance, which would see the additional of a canopy over the existing entrance.
- Two storey extension to the northern courtyard to increase storage, providing double height internal storage for props etc.

3.2 It is noted that all the proposed extensions and alterations would be built on existing areas of hardstanding around the building. A new scheme of signage is also proposed. This will require a separate application for Advertisement Consent. The agent has confirmed that an application will be submitted once the final design of the signage has been developed.

4.0 CONSULTATION

Consultees

- 4.1 TOWN COUNCIL – No comments received at the time of writing this report.
- 4.2 LCC HIGHWAYS AND LEAD LOCAL FLOOD AUTHORITY - Because the application is a minor application, it is up to the LPA to consider surface water flood risk and drainage
- 4.3 ENVIRONMENT AGENCY – No objections
- 4.4 HISTORIC ENGLAND – Did not wish to comment on this application.
- 4.5 HERITAGE OFFICER – No objections to the proposal.
- 4.6 GARDEN TRUST – Support the application as submitted.
- 4.7 THEATRES TRUST – Support the application.

Publicity

- 4.8 A site notice was displayed, press notice and neighbour notification undertaken.

Neighbours

- 4.9 No comments have been received as a result of the public consultation.

5.0 RELEVANT PLANNING HISTORY

- 5.1 S/153/01087/22 – Extensions and Alterations to existing building to form Culture House - Approved.

5.0 PLANNING CONSIDERATIONS

East Lindsey Local Plan Policies

SP1 – A Sustainable Pattern of Places
SP2 – Sustainable Development
SP10 - Design
SP11 - Historic Environment
SP17 – Coastal East Lindsey
SP20 – Visitor Economy
SP24 – Biodiversity and Geodiversity.
Annex 2
East Lindsey Foreshore Masterplan & Design Code

Skegness Neighbourhood Plan National Planning Policy Framework

7.0 OFFICER ASSESSMENT OF THE PROPOSAL

Main Planning Issues

- **Principle of Development**
- **Visual Impact and Impact on Heritage Assets**
- **Neighbour Amenity**
- **Flood Risk and Drainage**
- **Biodiversity Net Gain**

Principle of Development

- 7.1 Local Plan Policy SP17 relates to developments in Coastal East Lindsey. This Policy states in subsection 1, in part that the Council will give a high priority to development that extends and diversifies all year-round employment opportunities or extends and diversifies the tourism market. Subsection 3 supports new community buildings. Subsections 4 and 5 of the policy requires that such development will have to satisfy the Sequential and Exception test as set out in Annex 2 of the Plan, and the development will have to provide adequate flood mitigation, respectively.
- 7.2 Annex 2 of the Local Plan gives deemed consent for development covered by SP17 in terms of the Sequential Test and Part 1 of the Exception Test. Part 2 of the Exception Test is covered below.
- 7.3 The application site is located on Skegness Foreshore where Policy SP20 of the local plan states in part that the Council will support development that builds on the holiday attractions including indoor attractions and sports. The proposal to extend the existing theatre is therefore entirely compliant with these policies.
- 7.4 Skegness Neighbourhood Plan Policy V1 (Tourism and Visitor Economy) ,sets out that the Neighbourhood Plan will encourage, support and promote the town's leisure, culture, heritage and tourism offer.
- 7.5 The proposed development is therefore considered to be acceptable in principle.

Visual Impact and Impact on Heritage Assets

- 7.6 Policy SP10 sets out that the Council will support well-designed sustainable development, which maintains and enhances the character of the District's towns, villages and countryside.
- 7.7 The Foreshore area itself contains a number of attractions and is an eclectic mix of vibrant colours and designs. The Embassy Theatre has been extended and altered over the years. The proposed extensions would have an acceptable visual impact on the host building, and on the surrounding Foreshore, with the extensions being relatively small scale and subordinate to the existing building. The most prominent extensions would be to the front entrance to the west, where a new entrance feature is proposed, including new signage, (which would require separate advertisement consent), and the extension to the southern

elevation.

- 7.8 Policy V1 of the Neighbourhood Plan seeks to ensure that this type of development would be of an appropriate scale and reflecting the principles of good design.
- 7.9 The proposed extensions are contemporary in design and materials and would enhance the appearance of the theatre.
- 7.10 The proposals are therefore considered to be in accordance with Local Plan policy SP10.
- 7.11 Local Plan Policy SP11 seeks to ensure the continued protection and enhancement of heritage assets. Policy V1 of the Neighbourhood Plan also seeks to protect heritage assets.
- 7.12 The site is in the vicinity of two Grade II listed buildings and the Grade II listed Esplanade and Tower Gardens. Special regard must be given to preserving the setting of the nearby listed buildings, park and gardens under Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.13 The conservation officer commented on the proposal and noted that the scheme is thought to preserve the setting of the nearby listed assets as per section 66 of the Act. The theatre is located within a swath of arcades and seaside establishments that are constantly illuminated and lively. It is reasonable that the theatre should tastefully keep up with these.
- 7.14 The proposal is therefore considered to be in accordance with SP11 of the Local Plan and Policy V1 of the Neighbourhood Plan and the relevant national guidance.

Neighbour Amenity

- 7.15 Given the location of the proposed extensions and alterations in relation to any residential properties, it is not considered that the proposed development would have an adverse impact on the amenity of any neighbouring occupants.

Flood Risk and Drainage

- 7.16 A Flood Risk Assessment has been submitted in support of the application. The site is within Flood Zone 3, and the category of development is considered to be 'Less Vulnerable'. The proposal is considered to be a 'minor extension', to the existing building, with a cumulative increase in floor area of 195.5 square metres.
- 7.17 The Standing Advice from the EA requires finished floor levels to be no lower than existing or 300mm above estimated flood level and flood resilience techniques to be incorporated into the building at least 300mm above estimated flood level.

- 7.19 The FRA sets out the measures that are proposed to be incorporated into the design and building of the proposed scheme of extensions in line with Standing Advice. A condition will require the extensions to be built in accordance with the recommendations set out in the FRA.

Biodiversity Net Gain

- 7.20 All developments must deliver biodiversity net gain. This means a development should result in more, or better-quality natural habitat than there was before development. A Biodiversity Net Gain Statement has been submitted in support of the application. It is noted in this Statement that the locations of the proposed extensions only displaces urban hard landscaping, which is of negligible ecological value and does not impact on any habitats. The BNG calculation would deliver a zero unit value for the baseline calculations with the DEFRA metric. By default, the net gain of 10% increase required would be calculated as zero.
- 7.21 The site is therefore exempt from mandatory net gain requirements. However, a condition will require some enhancements to be provided. The BNG Statement recommends the addition of a tree or soft planting shrub bed. A condition will require this to be provided prior to the first occupation of the extensions.

Conclusion

- 7.22 As described above, the proposed extensions and alterations are considered to be acceptable and subject to conditions, would be in accordance with the relevant local and national policies.

8.0 RECOMMENDATION: Approve with Conditions

RECOMMENDATION: Approve

Subject to the following conditions:

1. Full Permission
The development hereby permitted must be begun not later than the expiration of four years beginning with the date of this permission.

Reason: To take account of the present restrictions on implementing permissions, in order to assist the recovery and in order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and other documents and any drawings approved subsequently in writing by the local planning authority pursuant to any conditions on this decision letter.

Plan No. 1296 (08) 001 Received by the LPA on 14/06/2024.
Plan No. 1296 (08) 003 Received by the LPA on 14/06/2024.
Plan No. 1296 (08) 009 Received by the LPA on 14/06/2024.

Plan No. 1296 (08) 011 Received by the LPA on 14/06/2024.
Plan No. 1296 (08) 014 Received by the LPA on 14/06/2024.
Plan No. 1296 (08) 015 Received by the LPA on 14/06/2024.
Plan No. 1296 (08) 016 Received by the LPA on 14/06/2024.
Plan No. 1296 (08) 017 Received by the LPA on 14/06/2024.
Plan No. 1296 (08) 018 Received by the LPA on 14/06/2024.

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

- 3 The development hereby permitted shall be carried out in accordance with the flood resilience measures detailed within Flood Risk Assessment - KK/1296 - ELDC 25/5/2024 - Planning Issue

The resilience measures shall be fully implemented prior to occupation and so maintained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with SP17 in the East Lindsey Local Plan.

- 4 Prior to first occupation of the development hereby permitted, the approval of the Local Planning Authority is required for the provision of a tree or shrub planting bed, including the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a timetable agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To provide biodiversity enhancements in accordance with Local Plan Policy SP24.