

TWC/2024/0521

The Place, Limes Walk, Oakengates, Telford, Shropshire, TF2 6EP

Partial demolition of theatre and construction of a new main theatre auditorium, secondary studio, concourse and back of house facilities in addition to the refurbishment of the retained wing of the building to form extension to the theatre with new restaurant and bar and external works comprising landscaping, replacement substation and reconfiguration of the theatre car park, New Street car park and on-street parking at Slaney Street\*\*\*RE-CONSULTATION IN RESPECT OF AMENDED DESCRIPTION, AMENDED PLANS, PROVISION OF ADDITIONAL PARKING, TRAVEL PLAN AND TRANSPORT STATEMENT\*\*\*

**APPLICANT**

Telford & Wrekin Council

**RECEIVED**

30/10/2024

**PARISH**

Oakengates

**WARD**

Oakengates and Ketley Bank

**THIS APPLICATION IS BEING HEARD AT PLANNING COMMITTEE AS THE PROPOSAL INVOLVES THE COUNCIL AS APPLICANT**

On-line Planning File:

<https://secure.telford.gov.uk/planning/pa-applicationsummary.aspx?applicationnumber=TWC/2024/0521>

**1.0 SUMMARY RECOMMENDATIONS**

1.1 It is recommended that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT FULL PLANNING PERMISSION** subject to Condition(s), Informative(s) and the applicant entering in to a Memorandum of Understanding (MoU) to secure Financial Contributions to monitor a Travel Plan.

**2.0 SITE AND SURROUNDINGS**

2.1 The application site covers 0.87ha and occupies a prominent position within Oakengates district centre, which itself is approximately 2km north-west of Telford Town Centre. It comprises Telford Theatre, a building which includes a number of other uses and land within the adjacent car park. The existing Theatre building was constructed in 1968.

2.2 The site is accessible to vehicles via Slaney Street to the north and New Street to the west via the car park, and to pedestrians via Limes Walk to the south. There are elements of soft landscaping within the site mainly comprising border planting within and adjacent to the car park.

2.3 The existing building is split-level and measures a maximum of 15.39 metres in height from ground level at the north/west where ground level is notably lower than on Limes Walk to the east. The fall in gradient from east to west across the site is approximately 4 metres. A winding ramp and stairway provide access between Limes Walk and the car park.

- 2.4 The Theatre is the main use within the building but also houses Oakengates Nursery School within its western corner and a small library, café, ground and retail units. The site includes a second commercial unit at street and first floor level (Unit 21 Limes Walk), currently occupied by 'Cashino', which would be unaffected by the proposals with the exception of relocating a fire door and roof repairs.
- 2.5 With regards to the surroundings, the wider area is mixed-use in character. Limes Walk and Market Street to the south are lined by commercial units, primarily occupied by retail and food and drink uses. The District Centre also contains 'The Wakes' Community Centre, home of Oakengates Town Council, a post office and Oakengates United Church. Small scale industrial units are positioned within close proximity to the south and west of Oakengates District Centre.
- 2.6 There are four public car parks within Oakengates District Centre, the Theatre car park (which comprises part of the application site) being the largest. The wider area beyond the District Centre boundary is largely characterised by suburban residential estates with intervening open space and sports grounds.
- 2.7 The site benefits from a range of transport modes. The A442 'Queensway' Road runs close to Oakengates District Centre accessed via Station Road. Oakengates railway station is positioned around 300 metres to the south of the site and provides direct train services to Birmingham New Street and Shrewsbury.

### **3.0 PROPOSAL**

- 3.1 This application seeks Full Planning Permission for:
- a) partial demolition and construction of a new main theatre auditorium;
  - b) construction of a secondary studio;
  - c) construction of concourse and back of house facilities;
  - d) refurbishment of the retained wing of the building to form extension to the theatre with new bar and restaurant;
  - e) external works comprising landscaping;
  - f) replacement substation;
  - g) reconfiguration of New Street car park;
  - h) provision of on-street parking at Slaney Street
- 3.2 The primary use proposed is the Theatre. This would comprise a main 756-seat auditorium including tiered balcony in addition to a new studio space of 98 seats and a rehearsal room available to the general public. The venue would be capable of hosting a range of musical acts, pantomimes, plays and stand-up comedy in addition to sport events and awards ceremonies/formal dinners.
- 3.3 The studio would assist in diversifying the offering of the Theatre and allow greater community use. The design for the main building space includes an airy and naturally-lit full height atrium, known as 'The Boulevard,' which is intended to serve as central meeting point and architectural feature.

- 3.4 The restaurant and bar area would be open to the general public throughout the day and provide improved capacity during performance intermissions. Back of house facilities for both the theatre and restaurant/bar are discretely located with the main servicing areas located to the rear of the building at lower level. Toilet facilities are provided throughout the building at all levels including accessible toilets/baby changing facilities.
- 3.5 The opening hours of the Theatre are subject to licensing and are currently unrestricted through the planning system. The Applicant is not proposing any changes to these as part of the current application.

#### **4.0 RELEVANT PLANNING HISTORY**

- 4.1 W83/0038 - Alterations and addition - Granted 22 March 1983
- 4.2 W89/0026 - Alterations to ramp and reorganisation of car park - Granted 08 March 1989
- 4.3 W2003/0878 - Erection of an extension to Theatre and Change-of-Use of car parking to Nursery Play Area - Granted 20 October 2003
- 4.4 TWC/2013/0548 - Installation and alterations to shop fronts, facades, theatre and library. Change of use of pavement to create external cafe, and associated feature entrance and extended canopy - Granted 04 September 2013
- 4.5 TWC/2022/0924 - Redevelopment of Oakengates Town Centre comprising of the demolition of units 31, 33 and 35 Market Street, and 1, 3, 5 and 7 Limes Walk, refurbishment of 14no. retail units, erection of 10no. first floor residential dwellings and an improved public realm area - Granted 13 February 2023

#### **5.0 RELEVANT POLICY DOCUMENTS**

- 5.1 National Planning Policy Framework (NPPF)
- 5.2 Telford and Wrekin Local Plan (2011-2031):

SP1: Telford

SP4: Presumption in Favour of Sustainable Development

EC4: Hierarchy of Centres

EC6: Market Towns and District Centres

EC9: Evening and Night Time Economy

EC12: Leisure, Cultural and Tourism Development

NE1: Biodiversity and Geodiversity

NE2: Trees, Hedgerows and Woodlands

COM1: Community Facilities

COM2: Culture

C3: Implications of Development on Highways

C5: Design of Parking

BE1: Design Criteria  
BE9: Land Stability  
BE10: Land Contamination  
ER9: Waste Planning for Commercial, Industrial and Retails Developments  
ER11: Sewerage Systems and Water Quality  
ER12: Flood Risk Management

## **6.0 NEIGHBOUR REPRESENTATIONS**

- 6.1 The application has been publicised through a Site Notice, Press Notice and direct neighbour notification. Two stages of consultation have taken place, the second further to an amended description, amended plans showing replacement substation and provision of additional parking, amended Transport Statement and Travel Plan.
- 6.2 The Local Planning Authority received representations from 3no. members of the public objecting to the scheme and 2no. public representations supporting the scheme in response to the first round of consultation. The following summarised issues were raised:
- currently there is insufficient parking when theatre hosts sell out shows;
  - a bigger theatre will exacerbate the parking issues;
  - parking in Slaney Street should be made 'residents only' through a permit scheme;
  - concerns that if 3-hour time limits are introduced in New Street car park that it will not affect evening visitors to the car park but will detrimentally impact upon residents who park there;
  - original Transport Statement assume three people will travel per car - where does this assumption come from;
  - local public transport system is poor and virtually non-existent in the evening;
  - railways are unreliable and there are only two trains back to Shrewsbury after 2200;
  - original Travel Plan is pointless where it talks about people cycling/walking up to 2km to non-existent bus services to attend an evening shows;
  - concerns that Travel Plan has not made allowance for theatre companies;
  - ensure access to Kitchings Chemist carpark is not restricted during construction works or theatre operations to enable medical deliveries to be made throughout the day.
- 6.3 At the time of writing the report, 1no. letter of representation has been received objecting to the application in response to the second round of consultation, citing the lack of additional parking spaces and requesting residents-only parking on Slaney Street.
- 6.4 The Theatres Trust is the national advisory public body for Theatres. They have commented on the application to advise that the scheme in its current form can be a success and delivery positive economic, social and cultural benefits for Telford and its surrounding communities and catchment. The investment being made into enhancing and expanding this venue is welcomed.

## 7.0 STATUTORY REPRESENTATIONS

### 7.1 Oakengates Town Council: **Comment**:

- whilst Oakengates Town Council welcomes the additional investment in the Theatre and the surrounding area, conscious of the effect on the town during the works;
- it is noted that there is to be a reordering of the car park and would appreciate that during this work as many parking spaces as possible are left available for the town and the reordering of the car park ensures that the number of disabled spaces is not reduced;
- the Town Council asks that consideration is given to ensure disruption is kept to a minimum, with conditions over working hours and keeping the site clean and tidy;
- importantly, the Town Council also ask that appropriate support is given to the businesses affected by on-going building work.

### 7.2 Cllr. Stephan Reynolds: **Support** the proposal regarding the renovation, refurbishment and extension of The Place.

### 7.3 TWC Highways: **Support, subject to Condition(s) and Financial Contributions**:

- Off-site highways work to be completed prior to occupation;
- Details of off-site Wayfinding and improvements to public routes between the theatre and bus station and rail station;
- Travel Plan

### 7.4 TWC Drainage: **Support, subject to Condition(s)**:

- Details of foul and surface water drainage

### 7.5 TWC Ecology: **Support, subject to Condition(s)**:

- Erection of artificial nesting/roosting boxes;
- Pre-commencement inspection - Bats

### 7.6 TWC Environmental Health: **Support subject to Condition(s)**:

- Details of specification of AHUs (Air Handling Unit) and ASHPs (Air Source Heat Pumps);
- Noise assessment for AHUs and ASHPs;
- Building envelope of building to achieve sound weighted sound reduction index of 62dB for walls and 49dB for roof;
- Details of substation equipment to be submitted and noise assessed post-installation;
- Post-construction Noise Survey

### 7.7 TWC Geotechnics: **Comment, subject to Condition(s)**:

- The development will need to be in accordance with the Ground Conditions Report

7.8 Coal Authority: **Support, subject to Condition(s):**

- Remedial stabilisations works to be carried out prior to development;
- Signed statement of competency to confirm remedial works carried out safely

7.9 Active Travel England: **No Comment**

7.10 Cadent Gas: **Comment:** No objection subject to Informative.

7.11 Severn Trent Water: **Comment:** It is the Applicant's responsibility to ensure that any planned work will not result in STW's assets being damaged. The Applicant is advised to contact Severn Trent Water.

7.12 Shropshire Fire Service: **Comment:** Consideration should be given to the information contained within the Fire Safety Guidance document.

## 8.0 APPRAISAL

8.1 Having regard to the development plan policy and other material considerations including comments received during the consultation process, the planning application raises the following main issues:

- Principle of Development
- Design and Visual Appearance
- Highways impacts
- Impact on Amenity of adjacent Properties/Uses
- Drainage
- Land Stability and Contamination
- Ecology and Trees
- Planning obligations

### 8.2 Principle of Development

The application is located within the urban area of Telford and, specifically, with the District Centre of Oakengates. The principle of development is supported within the urban area (under Policy SP1) provided that the development complies with the other policies within the Local Plan (under Policy SP4).

8.3 There are a raft of Policies within the Local Plan that set the framework for supporting the principle of this development:

- Policy EC4 seeks the long term vitality and viability of District Centres to be achieved through new development, including the provision of entertainment and cultural activities;
- Policy EC6 supports a mix of uses with Primary Shopping Areas that complement a District Centre's retail function, such as leisure and cafés to attract visitors;
- Policy EC9 supports evening and night time uses if they are located appropriately within the borough's Hierarchy of Centres (Policy EC4) and are appropriate in

terms of their impact upon the character and function of the District Centre, impact upon nearby residents, can accommodate night time visitors through public transport/transport movements, have a positive impact upon the vitality and viability of the existing centre;

- Policy EC12 supports improvements to existing cultural, tourism and leisure developments provided they are located in an accessible location with one of the borough's centres, include high quality public realm and are well connected via travel plans to public transport, parking and visitor wayfinding;
- Policy COM1 expects existing Community Facilities to be sustained and enhanced. New facilities are particularly supported in the borough's centres;
- Policy COM2 supports and promotes cultural facilities and will support development where is encourages investment to improve the quality of the infrastructure for arts and leisure, creates facilities which are accessible for all, provides opportunities for the creative economy to prosper and helps develop a rich cultural offer which attracts people and businesses to the borough.

8.4 As the current theatre is located within Oakengates District Centre, improving the existing facilities is a more sustainable option that building a new theatre in either Telford Town Centre or one of the market towns, and makes the most efficient use of the land available, as encouraged in the NPPF.

8.5 The detailed policies in the remainder of the Local Plan help to demonstrate how the proposals meet the raft of Policies set out above.

#### 8.6 **Design and Visual Appearance**

The design strategy for the theatre sees the two auditoria – main and studio – clearly visible on the exterior of the building. This allows them to act as 'beacons' and wayfinders. As well as their volume, this is achieved by cladding the main and studio auditoria in different finishes, using different colours of the same material so that they appear as a family but each having their own character. The intention is the volumes should appear as related whilst having their own identity.

8.7 The massing of the theatre volume is driven by the seating and technical requirements within - maintaining sightlines for every seat in the house is critical, as is providing a suitable environment for theatre experience. The main auditorium has a balcony level and requires a gantry level above for access to high level lighting and sound equipment. The studio theatre is smaller in scale, does not have a balcony level or gantries, but requires headroom for technical equipment.

8.8 A new entrance is proposed, facing the car park, and is connected to the existing entrance via an internal boulevard, which runs between the two theatre volumes. The front of house faces Limes Walk and the back of house is positioned for access from the loading bay.

8.9 The ground floor is proposed to accommodate a Welcome Area with bar, restaurant and Box Office. This area fronts onto Limes Walk and Limes Place to draw visitors towards the theatre and provide an active frontage to enliven the streetscene.

8.10 The new layout and form makes use of the change in levels across the site and works with the physical constraints to create an attractive and distinctive building.

#### 8.11 **Highway Impacts**

The primary highways consideration in the assessment of this application is the public parking available within Oakengates to accommodate the proposed expansion of the Theatre. The current total number of available parking spaces (including on-street) within Oakengates Centre is approx. 390no.

- 8.12 The Theatre is predominantly serviced, parking-wise, by Slaney Street car park and the other smaller car parks which sit within the perimeters of the district centre. All car parks are only a short distance from the Theatre and have traditionally served the facility well, including the on-street parking provision on Oxford Street, Market Street and Slaney Street.
- 8.13 The Theatre is also close to Oakengates Bus Station and sits less than 500 metres from Oakengates Train Station (approx. 5 minute walk). The Theatre sits in the centre of Oakengates and therefore pedestrian and cycle connectivity is good. Overall, the existing and future location of the Theatre, in terms of overall transport conditions, is solid and well-established.
- 8.14 The car parks within Oakengates are multi-purpose, in that they accommodate vehicles associated with local business, retail, residential overspill and the train station as well as the Theatre. Therefore, any increase in the number of seats in the Theatre, plus the resulting increase in demand to parking in the area, must be given due consideration. During the first round of consultation for this application, a small number of objections were raised over parking provision and these have been explored, amended and mitigated in response. These amendments have resulted in more parking being provided at a rate proportional to the proposed increase in seats.
- 8.15 The application is proposing 129no. spaces, formed by remodelling the existing main car park and creating an additional 32no. spaces. If the floor space being created is translated directly into the parking standards within the Local Plan, a total of 174no. parking spaces would be required. Whilst this may appear as a shortfall, the reality is that this is a worst case scenario where both the main theatre auditorium and studio auditorium are filled to capacity and every visitor travels by car - the Applicant advises this will be a rare occurrence.
- 8.16 In considering whether this is acceptable, it must be noted that residual parking is available across Oakengates Centre as part of the existing 390no. spaces and the Local Highways Authority advises this will be sufficient to accommodate additional visitors to the Theatre, particularly as theatre visits tend to be in the evening and this is when parking across Oakengates Centre has been vacated by commuters, businesses, retail and other daytime users.
- 8.17 The 32no. additional parking spaces being provided by the Applicant are located as follows:
- 6no. new spaces in New Street car park;
  - 11no. new on-street spaces on Slaney Street (it is expected that these will be used mainly by residents);
  - 14no. as overspill at Hartshill Park when required;
  - 1no. additional in the main Slaney Street car park



- 8.18 It is acknowledged that the Theatre expansion involves the relocation of internal office uses and the children's nursery, which, in turn, relieves some of the existing parking demand in the area.
- 8.19 The Applicant has submitted a Travel Plan, which is more comprehensive and detailed than is typical at this stage of the planning process, to demonstrate their commitment to shifting usage of the Theatre towards a multi-modal transport plan and increasing non car-based modes of travel. Currently 10% visitors are estimated to use non car-based modes of transport and the aim to is increase this to 20% through evolving the Travel Plan.
- 8.20 Such measures include improving the wayfinding between the Theatre and key transport hubs, incl. the train and bus stations, and working closely with Arriva to co-ordinate bus arrival and departures with performance start and finish times.
- 8.21 The submitted Construction Environmental Management Plan (CEMP) is considered acceptable in terms of traffic impacts and this will be controlled via Condition.
- 8.22 On balance, the proposals are considered acceptable in terms of highway impacts.
- 8.23 **Impact on Amenity of Adjacent Properties/Uses**

The key amenity issues to consider with this application is noise arising from operating the Theatre, and potential pollution and disturbance during the construction process.

- 8.24 The Applicant has submitted a Noise Assessment, which has been independently assessed by the Council's Environmental Health Specialist. The main source of noise disturbance is likely to be from equipment and plant, including Air Handling Units (AHUs) and Air Source Heat Pumps (ASHPs) on the roof of the building. The technical specification of these can be managed by planning condition to ensure an acceptable level of noise, tonality and vibration is emitted from this equipment.
- 8.25 The new substation is considered acceptable in terms of its noise generation. A Condition is recommended to survey the noise levels produced by the substation once it has been installed to secure the impact it is having. Should it be found to be generating greater levels of noise, vibration or tonality than expected, such a Condition would have the means to enforce amendment of the equipment to achieve satisfactory noise levels.
- 8.26 Noise from within the Theatre achieves acceptable noise levels at the nearest receptors. Conditions are recommended to appropriately limit the noise and secure the insulation properties of the building envelope.
- 8.27 A Noise Survey is recommended via Condition to ensure noise levels meet the required standards as stated in the Noise Assessment.
- 8.28 With regards to odour, a statement has been provided detail on how kitchen extract air will be handled. Having considered the proposal and high level extract the details proposed are expected to be capable of ensuring a low likelihood of complaint - on this basis the design details are considered appropriate.

8.29 The Council's Environmental Health Specialist has assessed the Construction Environmental Management Plan and concluded it is fit for purpose. A number of amendments have been made in line with advice from the Environmental Health Specialist to ensure nearby residents are not significantly adversely affected by dust, noise, vibration or other matters arising during the demolition and construction process. Compliance with this document will be secured by Condition.

**8.30 Drainage**

A Flood Risk Assessment (FRA) and Drainage Strategy has been submitted with the application. The Council's Drainage Officer has assessed the proposals and is satisfied they are acceptable subject to details foul and surface water drainage designs being secured by Condition.

**8.31 Land Stability and Contamination**

A Coal Mining Risk Assessment (CMRA) and Ground Conditions Report have been submitted with the application.

8.32 The CMRA has identified a number of areas of mining related risk and has proposed a mitigation strategy to remediate these areas. The Coal Authority have proposed a planning condition to secure these remediation works.

8.33 The Ground Conditions Report did not identify any significant contaminants requiring remediation and Condition is recommended to ensure that, should any be discovered during the development process, it is reported to the LPA and appropriate remediation undertaken.

**8.34 Ecology and Trees**

The Preliminary Ecological Appraisal submitted recommended that the structure and surrounding habitats are of limited suitability for any notable or protected species. Specifically, the Report makes reference to the lack of suitability for nesting birds, and determines that the structure provides negligible potential to support roosting bats.

8.35 One room within the building (the Woodchip Room) was inaccessible during the survey effort but upon inspection from a vantage point was deemed negligible to support roosting bats, and unsuitable for nesting birds. However there was a large gap in the door at the time of survey and it is therefore recommended that a pre-commencement inspection is carried out, focussing on this room to ensure that no bats or birds have opportunistically moved into the room.

8.36 The report also recommended general ecological enhancements for both birds and bats, with a scheme of bat and bird boxes to be installed throughout the development site following construction. This is captured via planning condition.

**8.37 Planning Obligations**

Any planning consent would be conditional on the agreement of a S106 Agreement to secure the following (plus indexation):

- Travel Plan;

- Monitoring Fee

8.38 In determining the required planning obligations on this specific application the following three tests as set out in the CIL Regulations (2010), in particular Regulation 122, have been applied to ensure that the application is treated on its own merits: a) necessary to make the development acceptable in planning terms; b) directly related to the development; c) fairly and reasonably related in scale and kind to the development.

## 9.0 CONCLUSION

9.1 On balance, it is considered that the proposal is supported by a collection of economic and community policies (EC4, EC6, EC9, EC12, COM1, COM2) within the Telford & Wrekin Local Plan 2011-2031. The visual appearance is acceptable and any potential pollution (noise, dust, odour, etc.) have been assessed and can be managed via planning condition. A Construction Environmental Management Plan has been accepted and will be secured via Condition to ensure minimal disruption from the site during demolition and construction. There would be no detrimental impact upon protected species and the proposals are acceptable in terms of ecology. The application is proposing to remodel the existing main car park in Oakengates Centre and provide 32no. additional spaces proportionate to the increase in floor area and taking into account that the Theatre will rarely, if ever, be filled to capacity in both auditoria with all visits travelling by car. The Travel Plan includes additional detail regarding improvements to wayfinding between the Theatre and main public transport hubs as well as working with Arriva, with the intention of promoting a shift towards fewer car-based trips to the Theatre over time. Matters relating to land stability and land contamination can be appropriately remediated and managed by Condition.

9.2 The proposal is therefore deemed to be compliant with the Telford & Wrekin Local Plan 2011-2031 and the guidance contained within the NPPF.

## 10.0 DETAILED RECOMMENDATION

10.1 Based on the conclusions above, the recommendation to the Planning Committee on this application is that **DELEGATED AUTHORITY** be granted to the Development Management Service Delivery Manager to **GRANT PLANNING PERMISSION** (with the authority to finalise any matter including Condition(s), Legal Agreement Terms, or any later variations) subject to the following:

- A) The applicant/landowners providing a Memorandum of Understanding agreement relating to:
  - i) to the provision of a £5,000 for Travel Plan monitoring (subject to indexation from the date of committee with terms to be agreed by the Development Management Service Delivery Manager);
  - ii) S106 monitoring fee of £250
  
- B) The following Condition(s) (with authority to finalise Condition(s) and reasons for

approval to be delegated to Development Management Service Delivery Manager):

**Condition(s)**

Time Limit Full

Details of materials

Off-site Highways work to be completed prior to occupation

Details of off-site Wayfinding and improvements to public routes between the theatre and bus station and rail station

Travel Plan

Development in Accordance with Plans

Compliance with Construction Environmental Management Plan

Details of Foul and Surface Water Drainage

Erection of Artificial Nesting/Roosting Boxes

Pre-commencement Inspection – Bats

Compliance with External Lighting Strategy

Works in accordance with Preliminary Ecological Assessment

Details of Specification of AHUs and AHSPs

Noise Assessment for AHUs and AHSPs

Building envelope of building to achieve sound weighted sound reduction index of 62dB for walls and 49dB for roof

Details of substation equipment to be submitted and noise assessed post-installation

Post-construction Noise Survey

Remedial Stabilisations Works to be carried out prior to development

Signed Statement of Competency to Confirm Remedial Works Carried out Safely

Compliance with Outline Site Waste Management Plan

Implementation of Hard Landscaping

Tree Protection Measures

Land Contamination – Monitoring and Remediation

Development in Accordance with Ground Conditions Reports