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28 April 2017

Department of Communities and Local Government  
*By online response form*

### **Fixing our Broken Housing Market Consultation**

The Theatres Trust welcomes the opportunity to respond to the consultation on the 'Fixing our Broken Housing Market' White Paper.

#### **Our Role**

The Theatres Trust is the National Advisory Body for Theatres under the DCMS and was established by The Theatres Trust Act 1976 and The Theatres Trust (Scotland) Act 1978 'to promote the better protection of theatres'. The Trust is a statutory consultee in the planning system and local planning authorities in England, Scotland and Wales are required to consult the Trust on planning applications for '*development involving any land on which there is a theatre*'.

The Trust contributes to the development of national planning policy and led the successful campaign to have culture included as a core planning principle in the National Planning Policy Framework. We also engage with local authorities to encourage the inclusion of local policies to support cultural infrastructure and cultural well-being in their Local Plans. We identify Theatre Buildings at Risk and support and empower owners and community groups to purchase, restore and reuse theatre buildings to create opportunities for cultural participation, find sustainable new uses, and to use culture as a catalyst for wider regeneration in their communities.

The Trust is often the only source of expert advice on theatre use, design, conservation, property and planning matters available to theatre operators, local authorities and official bodies. Whilst our main objective is to safeguard and promote theatre use, or the potential for such use, we also seek to provide impartial expert advice to establish the most viable and effective solutions for proposed, existing and former theatre buildings at the earliest possible stages of development.

#### **Fixing our Broken Housing Market White Paper - Questions for Consultation**

We have elected to answer those questions below which most directly relate to the areas of interest and expertise of the Theatres Trust.

#### **Theatres Trust**

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**Chair** Tim Eyles **Director** Jon Morgan

**Trustees** Richard Baldwin, Paddy Dillon, Ruth Eastwood, Dame Penelope Keith DL, Dara Ó Briain, Peter Roberts, Ann Skippers, Anna Stapleton

The National Advisory Public Body for Theatres

The Theatres Trust Charitable Fund co-operates with Theatres Trust, has the same Trustees and is registered as a charity under number 274697

**Question 1 Do you agree with the proposals to:**

- a) Make clear in the National Planning Policy Framework that the key strategic policies that each local planning authority should maintain are those set out currently at paragraph 156 of the Framework, with an additional requirement to plan for the allocations needed to deliver the area's housing requirement?**

The strategic priorities set out in paragraph 156 of the Framework require policies to provide:

- the homes and jobs needed in the area;
- the provision of retail, leisure and other commercial development;
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- the provision of health, security, community and cultural infrastructure and other local facilities; and
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

The Trust agrees the NPPF should maintain the criteria currently listed in paragraph 156. We also recognise this opportunity to emphasise the role of site allocations to meet development need in a local plan, though it is important that any allocations do not include sites with theatres or other cultural buildings that should continue to be safeguarded by paragraph 70 of the NPPF.

We also agree there is no need to duplicate policies, however, the NPPF, local plans, strategic development strategies, etc. all need the status of a statutory plan, and must be subject to the same level of public consultation.

- c) Revise the National Planning Policy Framework to tighten the definition of what evidence is required to support a 'sound' plan?**

The Theatres Trust understands the ambition to increase the supply of new homes, however, this needs to be balanced with measures that will deliver high-quality planning outcomes for communities, for example, health and wellbeing, and cultural and sustainable development.

We agree the test for a 'sound' local plan should be amended to require 'an' appropriate strategy, rather than 'the most' appropriate strategy. The content of a local plan will vary according to their area and local circumstances. The best approach would therefore be one which allowed the local authority to produce the evidence they consider to be necessary to justify the policies and allocations in their plan.

**Question 4 Do you agree with the proposals to amend the presumption in favour of sustainable development so that:**

- a) authorities are expected to have a clear strategy for maximising the use of suitable land in their areas?**

Planning is about facilitating change and getting the best outcomes that are in the public interest, for both current and future generations. In this regard, the Trust has concerns with the addition of the proposed phrase 'maximise the use of suitable land' in the text provided (Box 2, p79), as this undermines the key principles of sustainability and the desire for appropriate development that meets the needs of the local community. We feel the existing wording is suitable, though if this change is pursued, we recommend the phrase 'through a clear strategy for the appropriate use of suitable land', instead.

**Question 12 Do you agree with the proposals to amend the National Planning Policy Framework to:**

- b) emphasise the importance of early pre-application discussions between applicants, authorities and the local community about design and the types of homes to be provided?**

The Trust agrees there should be a greater focus on pre-planning application consultations, including with statutory consultees, across all forms of development, not just residential development, and this should be reflected in any amendments.

**Question 15 What are your views on the potential for delivering additional homes through more intensive use of existing public sector sites, or in urban locations more generally, and how this can best be supported through planning (using tools such as policy, local development orders, and permitted development rights)?**

The Trust would seek to ensure that for such sites, any cultural venue would be retained, and the significance of any heritage asset is properly considered in the disposal process. It should also emphasise that 'best value' needs to be set within a context of what is best for the local community and the relevant cultural or historic asset, rather than being a purely monetary concern.

**Question 21 Do you agree that:**

- a) the planning application form should be amended to include a request for the estimated start date and build out rate for proposals for housing?**

The Trust agrees this data could be useful and help with housing assessments and keeping Brownfield registers up-to-date, however, the accuracy will be questionable, given unknowns relating to the planning process, funding, S106 requirements, etc. that are unknown at the time of making an application.

**Question 34 Do you agree with the proposals to amend national policy to make clear that the reference to the three dimensions of sustainable development, together with the core planning principles and policies at paragraphs 18-219 of the National Planning Policy Framework, together constitute the Government's view of what sustainable development means for the planning system in England?**

Theatres and cultural buildings are places where communities come together to be entertained, experience the arts, to learn and participate in social activities. They are important for our health and cultural well-being and help create a sense of pride and give

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identity to communities. Many local authorities support and create 'cultural quarters' and use culture to drive regeneration in town centres and investment, and places that have good cultural facilities are more likely to attract clusters of creative and other organisations.

Successful and sustainable communities need a holistic and stable planning framework, as well as strong and well thought through local plans to coordinate and drive investment and any change to the NPPF and definition of sustainable development must not undermine the ability of local authorities to plan for economic growth, job creation, cultural development, and a thriving business community, in order to facilitate increased housing supply.

It is therefore important the definition of sustainable development equally emphasise the three dimensions – economic, social and environmental, and promote the core planning principles outlined in para. 17 of the NPPF. There should not be a presumption in favour of residential/ housing development over the other dimensions.

**Question 37 Do you agree with the proposal to amend national policy to emphasise that planning policies and decisions should take account of existing businesses when locating new development nearby and, where necessary, to mitigate the impact of noise and other potential nuisances arising from existing development?**

The Theatres Trust strongly supports measures to promote the 'agent of change' principle in the planning system, and to strengthen para. 123 in the NPPF and the Noise PPG, to emphasise the responsibilities of new development to mitigate any impacts caused by the ongoing operation of existing uses. This is very important issue for theatres and other cultural venues, particularly those that are part of the night time economy, which are now being threatened by regeneration projects and the increasing number of mixed use and town centre developments.

The Trust recognises the social and cultural wellbeing benefits of living near a theatre or a 'cultural quarter' and supports appropriate residential/ mixed use development, however, it is important that these new developments are designed correctly from the outset to ensure the living conditions within the new dwellings is satisfactory, and to avoid the conflicts that can arise when a noise sensitive use e.g. residential, is located next to a live venue.