

Ref.: RA/609

21 August 2017

For the attention of Mr S Gould

Planning Control
Bournemouth Borough Council
Town Hall Annexe
St Stephen's Road
Bournemouth BH2 6EA

Dear Mr Gould,

Former ABC Cinema, 27-28 Westover Road, Bournemouth

Application Ref.: 7-2017-1685-L

I write regarding the above outline application for the change of use and substantial demolition of the former ABC Cinema and construction of a 6/7 storey mainly residential building. The Theatres Trust OBJECTS to the application. Please see our advice below.

Remit: The Theatres Trust is the national advisory public body for theatres. We were established through the Theatres Trust Act 1976 'to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and use through The Town and Country Planning (Development Management Procedure) (England) Order 2015, that requires the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre.' This applies to all theatre buildings, including those adapted for theatre use, that are out of use, or are now in another use. Our main objective is to safeguard theatre and cultural uses, or the potential for such uses.

Advice: The Theatres Trust objects to this application for the change of use and demolition of the former ABC cinema because the development will result in the loss of a potential cultural facility for Bournemouth without the provision of a retained or alternative cultural facility. The Trust recognises the importance of investment and regeneration within town centres and takes a pro-active role in encouraging local authorities and the private sector to rejuvenate former theatre and cinema buildings, using cultural development as a catalyst for wider regeneration and to improve the social and cultural wellbeing of the local community. While mainly used as a cinema, the Trust's interest in this building is because it was constructed with a stage and dressing rooms to facilitate live shows.

Where a new use is proposed for a former theatre or cultural facility, the Trust always advises the local authority that it must be absolutely assured the building is surplus to the cultural requirements for the local community before granting any new use in order to satisfy national and local planning policy. This is because cultural buildings often occupy sites within town centres or local neighbourhoods where another use would be more lucrative, as is the case

Theatres Trust

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Chair Tim Eyles **Director** Jon Morgan

Trustees Richard Baldwin, David Blyth, Pam Bone, Paul Cartwright, Paddy Dillon, Ruth Eastwood, David Ian, Richard Johnston, Gary Kemp, Dara Ó Briain, Simon Ricketts, Peter Roberts, Ann Skippers, Anna Stapleton

The National Advisory Public Body for Theatres

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here. Once lost within the catchment, they are virtually impossible to replace.

The National Planning Policy Framework (NPPF) includes extensive directions and guidance on the importance of safeguarding cultural assets to benefit local communities, as outlined below:

- In terms of sustainable development, paragraph 7 notes that the social dimension of planning must support strong, vibrant and healthy communities *'by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'*;
- Paragraph 17 outlines the 12 core land-use planning principles that should underpin planning decision making and states this should take account of and *'support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.'*
- Paragraph 27 recognises the role of cultural facilities in ensuring the vitality of city centres and states that it is important that cultural uses are not compromised by other uses, such as residential development.
- Most notably paragraph 70 states that in 'promoting healthy communities', planning decisions should *'plan positively for cultural buildings'* and *'guard against the loss of cultural facilities and services'*.

Objection: This application quite clearly does not provide or even consider any replacement or alternative cultural facilities. It fails to adequately demonstrate that the building is an unviable or a surplus facility, either in an on-going cinema use, or in an alternate cultural or community use. The claim in paragraph 4.15 of the Planning Statement that there is no reasonable prospect of the use continuing is completely unjustified and requires supporting evidence to demonstrate if this is the case. A community and cultural needs analysis is therefore required to provide the level of justification needed to demonstrate this venue is surplus to the community's needs.

The mentioned legal covenant not to reuse the site as a cinema is not a material consideration and does not allow the applicant to 'bypass' the need to address the requirements in the NPPF or local plan. In addition, it was clear from the marketing undertaken when the site was sold that the building was not marketed purely for ongoing community or cultural purposes, rather as a development site. This indicates the application fails the marketing test in Policy CS29 and U8.

Bournemouth Core Strategy and Town Centre Area Action Plan provide clear local policies to safeguard and promote local cultural facilities. Core Strategy Policy CS29 states that 'Development resulting in the loss of sites or premises used, or last used, as a tourist or cultural facility will be resisted'. Area Action Plan Policy U8: Leisure, culture and entertainment also seeks to protect existing cultural uses. The basis for these policies is to ensure there is a strong cultural sector in Bournemouth, which is seen as fundamental to the creation of a vibrant town centre and the need to improve the evening economy and cultural offer in the Borough.

Culture should be at the heart of all planning decisions to ensure development creates sustainable places that meet the needs of current and future generations. As with the comments above regarding the NPPF, this application quite clearly does not retain or provide for an alternative facility and it fails to adequately demonstrate that the building is an unviable or

surplus facility in another cultural use.

Conclusion: In order to support this application, Council would have to be absolutely satisfied the cinema is surplus to local cultural and community requirements and that the proposal does not conflict with national or local planning policy.

In our view, the applicant has failed to demonstrate this and the Theatres Trust objects for the following reasons:

1. The applicant failed to market the property for alternate cultural or community uses.
2. The applicant failed to demonstrate that an ongoing cultural or community use is not viable and that there is no longer a community demand for a new cultural or community facility on this site.
3. The loss of a valued and viable cultural facility is contrary to both the National Planning Policy Framework and Council's Core Strategy Policy CS29 regarding the safeguarding of cultural facilities and promotion of social and cultural well-being.
4. The loss of a valued and viable cultural facility is contrary to the principles of sustainable development in both the National Planning Policy Framework and Council's Core Strategy.
5. The loss of a valued and viable cultural facility is contrary to the principles of town centre development in both the National Planning Policy Framework and Council's Town Centre Action Plan Policy U8 regarding town centre vitality and safeguarding existing cultural facilities in the town centre.

Please contact us if we may be of further assistance.

Regards,



Ross Anthony
Planning Adviser

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