

Protecting theatres for everyone



Ref.: RA/2089

30 August 2017

Mr Hugh Smith
Planning Services
Scarborough Borough Council
Town Hall
Scarborough YO11 2HG

Dear Mr Smith,

Futurist Theatre, Foreshore Road, Scarborough, YO11 1NT

Application Ref.: 17/01714/RG4

I write regarding the above planning application for the demolition of the Futurist Theatre and the adjoining buildings and for associated earthworks and landscaping. 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.

Comment: The Theatres Trust objects to this application for the demolition of the Futurist Theatre because the development will result in the complete loss of a cultural facility without the provision of a replacement facility or plans for an appropriate alternative cultural use.

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 buildings and to use cultural development as a catalyst for wider regeneration to improve the social and cultural wellbeing of the local community. However, 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. This is because cultural buildings such as the Futurist Theatre occupy sites within town centres where another use would be more lucrative, as is the case here, and 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:

Theatres Trust

22 Charing Cross Road, London WC2H 0QL

T 020 7836 8591

F 020 7836 3302

E info@theatrestrust.org.uk

W theatrestrust.org.uk

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

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

- In terms of sustainable development, paragraph 7 notes that the social dimension of planning must support strong, vibrant and healthy communities 'with accessible local services that reflect the community's needs and support its health, social and cultural well-being';
- 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.
- 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'.

The new Scarborough Local Plan (adopted July 2017) also provides clear local policies to safeguard and promote local cultural facilities to ensure there is a strong cultural and tourism sector in Scarborough. Policy HC8 Community Facilities states that 'Proposals that will lead to the loss of community services and facilities (which includes theatres) for non-community based uses will only be permitted where:

- a. it can be demonstrated that the facility is no longer required, having been vacant and marketed for a community use without success; or
- b. a replacement facility of at least an equal quality and suitable scale, in an equally or more accessible location will be provided through redevelopment of the existing site; or
- c. the proposal will result in the significant enhancement to the capacity, nature and quality of a separate existing facility, which serves the same community.

Objection: This application quite clearly does not provide or even consider any replacement or alternative cultural facilities and is therefore contrary to both the NPPF and to the Scarborough Local plan.

In regards to Policy HC8, this proposal is to clear the site for future commercial redevelopment and is not being redevelopment immediately for a community or cultural based purpose, nor is the enhancement of another venue proposed.

It fails to sufficiently demonstrate that the building is an unviable or a surplus facility, either in an on-going theatre use, or in an alternate cultural or community use. 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 claim in the Planning Statement that there is no reasonable prospect of the use continuing based on the cost upgrading the mechanical and electrical systems, and due to the damage caused by the 'invasive asbestos survey' is unjustified and requires supporting evidence to demonstrate if this is currently the case. These restoration costs also need to be compared to the estimated £4m+ cost of demolishing the theatre and stabilising the slope, which doesn't even include the future redevelopment costs. It is likely it is more cost effective and viable to bring the theatre back in to use, than to provide an unspecified development site which will not benefit the local community.

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It was also clear from the tender process undertaken more than three years ago that the theatre was not marketed as a theatre, but rather as a commercial redevelopment site and therefore fails to meet the requirement for recent market testing of such a facility.

Conclusion: 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. In order to support this application, Council would have to be absolutely satisfied the theatre 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 Council, as the applicant, failed to market the theatre for a continuing theatre use or in alternate cultural or community uses, rather as a commercial redevelopment site.
2. The Council, as the applicant, has failed to demonstrate that an ongoing cultural or community use is not viable and that there is no longer a community demand for a cultural or community facility on this site.
3. The loss of a valued cultural facility is contrary to both the National Planning Policy Framework and Council's Local Plan Policy HC8 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 Local Plan.
5. The cost of works to demolish the theatre, reshape the slope, and construct the retaining wall has not been demonstrated to be more viable than restoring the theatre.
6. The Council, as the applicant, has not identified a suitable future use for the site, and has failed to demonstrate the benefit of this proposal to the local community.

It is also our view that, given the previous resolutions to demolish the theatre by Council, that this planning application should not be determined by Council's Planning Committee and should be referred to the National Planning Casework Unit for consideration.

Please contact us if we may be of further assistance.

Regards,

A handwritten signature in black ink, appearing to read "Ross Anthony".

Ross Anthony
Planning Adviser

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