

# Protecting theatres for **everyone**



Ref.: TC/2012

08 March 2018

Mr Paul Gatrell  
Planning Services  
Burnley Borough Council  
Town Hall  
Burnley  
BB11 2DT

By e-mail: [pgatrell@burnley.gov.uk](mailto:pgatrell@burnley.gov.uk)

cc:

Councillor Mark Townsend ([MTownsend@burnley.gov.uk](mailto:MTownsend@burnley.gov.uk))  
Mick Cartledge ([mcartledge@burnley.gov.uk](mailto:mcartledge@burnley.gov.uk))

Dear Mr Gatrell,

## **Temporary planning permission at 118 St James's Street, Burnley, BB11 1NL (APP/2017/0386 & APP/2017/0387)**

I write regarding the decision by Burnley's Development Control Committee to grant 'temporary' planning permission for the above proposal on 15<sup>th</sup> February 2018, a decision which went against the recommended conditions as set out your officer's report of 6<sup>th</sup> February 2018 and the advice of the Theatres Trust as a statutory consultee under the Town and Country Planning (Development Management Procedure) (England) Order 2015.

As you are aware from our initial representation of 31<sup>st</sup> August 2017 the Trust strongly objected to the proposed development. Following an amendment to the proposal, the Trust issued a further representation on 22<sup>nd</sup> January 2018 which maintained its overall objection to the proposal but cautiously supported a temporary permission for change of use. This was on the understanding such a permission would be for two years, as discussed with the case officer Janet Filbin. Prior to the Development Committee meeting, there was further correspondence by telephone and e-mail between yourself and the Trust at which the potential for a longer temporary permission was discussed. We made it very clear that a permission in excess of two years could not be supported because it would in effect prevent re-use of the theatre. This was put in writing by e-mail on 12<sup>th</sup> February 2018 along with justification in order to provide context for our position and to provide you with the required information to relay to Committee.

It was therefore of great disappointment to the Trust to receive information that Committee had granted a temporary permission of ten years. Permissions of this length are quite unusual.

### **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

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

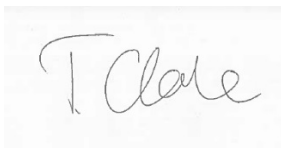
The Burnley Empire is currently high on the Trust's 'Theatres at Risk' list. There is a realistic proposal to restore the building and, as the Council is aware, partnerships are currently being sought. The Empire is a Grade II listed heritage asset and could provide an invaluable cultural asset for Burnley and an anchor for the revitalisation of Burnley's town centre. The application site is required for access to the theatre. Therefore the length of the 'temporary' permission in effect prevents any prospect of the theatre being returned to use, in turn failing to preserve the building's special architectural and historic interest as per the Council's duty.

This is compounded by the wording of Condition 3 which starts the ten year period from the date of completed development whereas temporary permissions are commonly issued from the date of decision, as was proposed within the recommended conditions of your officer's report. In effect it could be a minimum of eleven years before full access to the site can be obtained.

We therefore request that you provide the Trust with the rationale behind permission of the proposal for such a long period in excess of that originally proposed and the justification for the decision.

We look forward to your response. If you wish to discuss this matter further, please contact me using the details in the footer of this letter.

Yours sincerely,

A handwritten signature in blue ink, reading "T Clarke", on a light blue rectangular background.

Tom Clarke  
National Planning Adviser