

# Protecting theatres for **everyone**



Ref.: TC/557

20 August 2018

Matthew Duigan  
Development Management Service  
Planning and Development  
PO Box 3333  
222 Upper Street  
LONDON N1 1YA

By e-mail: [planning@islington.gov.uk](mailto:planning@islington.gov.uk)

## **Applications:** P2018/1427/S73

**Site:** 1 Essex Road & 12A, 13 & 14 Islington Green [Site formerly: 13-17 Islington Green & 1-15 Essex Road, Collins site to rear], London N1

**Proposals:** Application for minor material amendments (s73 of the Town and Country Planning Act (1990)) to vary conditions 2 (approved drawings) of planning permission ref.P000205 for "Redevelopment to provide a 600 seat Theatre, 72 residential units and 950sq. metres of A3 floorspace". The amended description proposed is "Redevelopment of the existing site to provide a new theatre comprised of the main auditorium with occupancy of up to 514 seats, ancillary theatre spaces, 72 residential units and 1,449sqm of flexible A1/A3/A4 space."

## **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 theatre use in England through The Town and Country Planning (Development Management Procedure) (England) Order 2015, requiring the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre'.

## **Comment:**

Thank you for consulting Theatres Trust on the above application, which seeks a variation to the original development permitted in 2002 in respect of the theatre and A3 floorspace. The applicant is now seeking to provide a theatre of up to 514 seats rather than the 600 permitted, plus an uplift in commercial floorspace from 950sqm to 1,449sqm with greater flexibility through extending potential use to retail (A1) or drinking establishments (A4) in addition café/restaurant (A3). The Trust **supports** this proposal in principle, although we would require any permission to maintain and strengthen existing conditions and covenants written into the Section 106 agreement which safeguard the theatre as a community facility for Islington and facilitate the theatre's opening and longer-term sustainability before the applicant is able to benefit from releasing financially lucrative commercial elements of the site. We would also strongly

## **Theatres Trust**

22 Charing Cross Road, London WC2H 0QL

**T** 020 7836 8591

**F** 020 7836 3302

**E** [info@theatrestrust.org.uk](mailto:info@theatrestrust.org.uk)

**W** [theatrestrust.org.uk](http://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

recommend an amendment to the scheme that safeguards and merges the café-bar fronting Islington Green back into the operation of the theatre.

The theatre element of this site has been unoccupied since the site was constructed over ten years ago and remains a shell which requires fitting out to enable theatre use to commence. This would in turn allow the applicant to release the remaining commercial floorspace for occupation. We are keen to see this site open for theatre use, and welcome that an operator is willing to take the theatre forward.

In terms of the theatre layout specifically, we consider it to be of good design considering its challenging form having been originally designed to take the set from Shakespeare in Love and its location below ground. There is ample bar space provided at all three levels within the auditorium, there are an appropriate number of toilets including disabled provision at every level and good access and circulation. An accessible shower and WC is provided backstage at stage level for performers, and there are also showers provided for staff adjacent to the office. There is good access and servicing for scenery and other stage equipment with a scenery lift to basement level -1, whereby deliveries can be made via a car lift. We have some outstanding concerns around evacuation but understand that this issue is being addressed.

Although there is a decrease in capacity compared to the original permission, we have previously stated in our January 2016 response to application reference P2015/4636/S73 that we do not consider a 600-seat theatre to be feasible without compromising comfort, sight lines and support facilities. The proposal submitted through this application affords flexibility which will enable the theatre to run a variety of performance types, enhancing its attractiveness to producers and audiences. We therefore support the reduction in seating, which at full capacity is a loss of just eighty-six seats.

Our reservations around the current proposal relate to the theatre's ongoing viability, but this can be satisfactorily mitigated and addressed. Fundamentally, we are concerned by the prospect of a commercial rent being attached to the theatre. We would strongly recommend that a long-term peppercorn rent is instead secured, particularly in light of the commercial value to the landowner arising from the wider development which will be unlocked with the theatre coming forward. To that end, we would highlight paragraph 4.3 of the Section 106 agreement for permission reference P000205 which required the applicant to utilise "all reasonable endeavours to keep the theatre operating as such". On that basis a peppercorn rent would be appropriate and justified, especially as the theatre's underground location is likely to give rise to additional maintenance and operational costs above what would be anticipated ordinarily.

Furthermore, the theatre's visibility and ability to cross-subsidise its activities through ancillary sources of income will also be vital to its ongoing sustainability. Therefore we would consider it important that the unit fronting Islington Green is integrated back into the theatre and again we would recommend this is done so on a peppercorn rent. The plans show a doorway into the theatre at basement -1 level, but we would recommend full integration at ground floor level for which revised plans should be submitted. Prominence arising from the use of that unit is

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especially important as there is an inability to install the type of bold signage indicated on elevations to the Essex Road frontage due to limitations as a result of the Islington Green frontage falling within the Islington Green Conservation Area.

More generally, in line with our responses to previous consultations relating to this site, we would strongly recommend that a condition is in place compelling the applicant to put in place a long-term lease for the theatre space and café/bar. This would provide the theatre operator with the certainty required to help form a viable and sustainable business plan, in turn secure an operational theatre as an asset for the borough and its residents.

If those issues can be satisfactorily addressed, conditions are maintained securing the delivery of the theatre before other commercial space can be released and the proposed theatre operator can demonstrate a viable business plan, we would recommend the granting of planning permission. We would however object if conditions that safeguard delivery of the theatre were to be diluted. We would welcome, and encourage, the Council, the applicant and the proposed theatre operator to continue dialogue with the Trust on this application and any future discussions regarding the site.

Please contact us if we may be of further assistance or if you wish to further discuss these comments.

Tom Clarke MRTPI  
National Planning Adviser

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