

Protecting theatres for everyone



Ref.: TC/2026

03 October 2018

Grace Harrison
Planning Division
Town Hall Extension
King Street
London
W6 9JU

By e-mail: planning@lbhf.gov.uk

Applications: 2018/02976/FUL & 2018/02977/LBC

Site: Shepherds Bush Empire Shepherd's Bush Green London W12 8TT

Proposal: Installation of a new boiler flue to the rear elevation.

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 the Theatres Trust on the above application and listed building consent. This is a re-submission of refused applications 2018/01845/LBC & 2018/01897/FUL, for which the Trust wrote in support. We were surprised and disappointed at the outcome of the previous submission, and we would challenge assertions made within the officer's report and the reasons for refusal.

To some degree the determination as to whether the proposed flue represents unacceptable harm to the character, appearance and setting of the Empire as a Grade II statutorily listed building is subjective. However, we consider the robustness of the original decision to be questionable and this is emphasised in particular by the spurious and unjustified assertion within paragraph 3.9 that the supporting statement was "contrived and inadequate". We refute this assessment in the strongest possible terms; Michael Jackson Consulting are an established and reputable specialist consultancy with whom we are extremely familiar as they have been engaged on numerous theatre projects. The statement appears to be made without any basis, and similarly we do not believe that the overall decision was made with sufficient understanding or regard to the matters at hand.

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 the design and location of the flue, it is to be sited on a more modern extension to the Empire and coloured to match the brickwork. This reduces the impact of its introduction. It is very common for services to be attached to the rear of theatres and other cultural entertainment venues, therefore the flue is not out of typical character. Neither would it be an unexpected or unwelcome addition to the views of the theatre from Pennard Road and Rockwood Place nor detract the character and appearance of the Shepherd's Bush Conservation Area. We do not consider the number of existing pipes and other services to be excessive. The original decision is even more perverse in the context of the significant new development permitted for the neighbouring site (former Walkabout/Palladium Cinema).

Fundamentally, without the flue proposed in this application the Empire will have no heating. Not only would this result in its unnecessary closure in the short term, but also compromise the venue's future in the longer term and in turn risk degradation of its features of architectural and historic significance. Therefore we would encourage the Council to consider its duty to care for and conserve its historic buildings and also paragraph 193 of the NPPF (2018) which states that great weight should be given to the asset's conservation, irrespective of potential harm. Notwithstanding that, we consider the harm caused by this proposal to be minimal.

Furthermore, the Empire is also an important and renowned cultural venue which not only serves the local community but also draws in visitors from a wide area across the south-east of England and beyond. Paragraph 2.28 of the Hammersmith and Fulham Local Plan (2018) recognises the importance of ensuring the continued provision of cultural and leisure facilities including those such as the Empire which contribute to a vibrant night time economy which serves local residents, visitors and workers. The Empire occupies a prominent site within the designated town centre, and such uses help support the local economy by bringing people to the area which benefits surrounding businesses and facilities. As such, the Council should guard against the unnecessary loss of valued facilities and plan positively for cultural buildings to accord with paragraph 92 of the NPPF, emerging Policy HC5 of the London Plan (2018) and Policy CF1.3 of the Local Plan (2018).

In conclusion, we strongly advise that the reasons and justifications behind the original refusal are reviewed and reconsidered. There are compelling reasons as to why the Empire's new boilers have been located within the building and in turn why the location of the flue is both necessary and logical. We do not consider the flue to detrimentally impact upon the character, appearance and visual appreciation of the building or its wider setting, and there should be great weight given to the need to support and conserve the Empire as a valued and iconic cultural venue within the borough. **We strongly recommend the granting of planning permission and listed building consent.**

We will be submitting a similar recommendation under separate cover for application references PA/02974/FUL and PA/02975/LBC.

Please contact us if we may be of further assistance or if you wish to discuss this representation in greater detail.

Protecting theatres
for **everyone**



Tom Clarke MRTPI
National Planning Adviser

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