

Protecting theatres for everyone



Ref.: TC

19 August 2020

Mrs Kelly Pritchard
Mendip District Council
Cannards Grave Road
Shepton Mallet
Somerset
BA4 5BT

By e-mail: consultations@mendip.gov.uk;

Application: 2020/1414/FULL

Site: The Amulet 7 Market Place Shepton Mallet BA4 5AZ

Proposals: Change of use from theatre (sui generis) to mixed use, 7no residential flats (C3), 1no retail unit (A1) and associated works.

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:

This application has come to the attention of the Trust because it would result in the change of use and loss of a theatre. We were not consulted despite this proposal falling within our statutory remit outlined above.

The site subject to this proposal is the Academy Theatre, formerly known as the Amulet Theatre until 2005. It opened in the early 1970s and was a gift to the people of Shepton Mallet by Francis Showering, founder of Babycham, as part of a wider scheme financed by the Showering family. The theatre has brutalist character and design which provides some degree of interest, contrasting with the prevailing historic nature of Market Place and its surroundings. The theatre has a capacity of around 270 seats.

It has been vacant as a theatre since around 2011, although plans suggest it remains substantially intact. In 2006 use of the site as a performing arts academy was permitted and supported by the Trust, as this would have retained the theatre as a public venue whilst investing in the building and its facilities, developing skills in performance and the arts and enhancing the

Theatres Trust

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Chair Tim Eyles **Director** Jon Morgan

Trustees Richard Baldwin, David Blyth, Pam Bone, Paul Cartwright, Paddy Dillon, Richard Johnston, Gary Kemp, Simon Ricketts, Truda Spruyt

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local economy and town centre. A site visit was undertaken at that time and we have a number of internal and external photos on record. Later applications, for which we do not appear to have been consulted, granted change of use of the ground floor for pub (A4) use but again the theatre above was to be retained and alteration appears negligible so it is probable we would also have supported this. We understand the auditorium is utilised as a gym operated by Movement Gym but there is no relevant change of use listed on the building's planning history. Nonetheless, a gym if sensitively implemented is generally conducive to reversibility back to theatre use whereas conversion for residential is not.

There is no other theatre in Shepton Mallet and there is a general lack of provision across the wider area. Paragraph 2.49 of the Mendip District Local Plan 2006-2029 Part 1: Strategy and Policies (2014) reflects this and states, "Shepton Mallet is arguably less well catered for in terms of cultural venues". Although attempts to bring the theatre back to use are acknowledged, in order for us to support loss it must be clearly and robustly demonstrated the theatre is surplus to the needs of local people and there is no interest in retaining the building for theatre or other arts, cultural and community use. This is especially important given the role that theatres and other such venues can play in supporting the function and vitality of town centres as they help draw people into centres which improves footfall and benefits local businesses. For example, the Shepton Mallet Town Strategy within Core Policy 9 references supporting the renaissance of the town centre with the Vision seeking Shepton Mallet by 2029 to be a revitalised market town to meet local needs. The theatre could contribute towards these objectives. Once a theatre building has been lost, particularly one with good volume of space as offered at the Amulet/Academy, it is challenging and costly to provide a replacement.

More fundamentally, Development Policy 17 seeks to safeguard community facilities and does not permit the loss of sites or premises last used for local services unless suitable alternative provision is made or there is no likelihood of a viable community use. Although not explicitly referenced within the plan it is clear from the NPPF (2019) that theatres and other such cultural facilities are included as community uses. Furthermore paragraph 92 of the NPPF seeks planning decisions to plan positively for cultural uses and to protect against unnecessary loss. Plans to resume theatre use are described by the applicant to have fallen through but not substantiated in any detail; this is at least indicative of a degree of need and interest. The applicant's Statement also references previous applications but nothing relevant appears on the site's planning history.

The applicant places great weight on the Council's inability to demonstrate a five year supply with sufficient buffer to argue that permission for residential use should be granted citing paragraph 11 of the NPPF, however the NPPF is also clear that sustainable development has three overarching objectives which includes supporting strong, vibrant and healthy communities with accessible services which support the cultural wellbeing of communities. Development Policy 17 can be considered an up-to-date local interpretation of NPPF paragraph 92. Whilst paragraph 85 of the NPPF does encourage residential development on appropriate sites within town centres, as a theatre building the Amulet/Academy does not necessarily represent an appropriate site.

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Furthermore the NPPF calls for planning decisions to support the role of town centres at the heart of their communities and take a positive approach to their management.

In conclusion, the absence of evidence which concludes the theatre is surplus to the needs of Shepton Mallet means its loss is contrary to local and national policy. Therefore we currently strongly object to this proposal and urge the refusal of planning permission.

Please do not hesitate to contact the Trust should you wish to discuss these comments in further detail.

A handwritten signature in black ink that reads "T Clarke". The signature is written in a cursive, slightly slanted style.

Tom Clarke MRTPI
National Planning Adviser

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