

# Protecting theatres for everyone



Ref.: TC/2485

16 February 2021

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**Application:** 20/2988/FUL

**Site:** The Hippodrome North End Road London NW11 7RP

**Proposal:** Use as a Place of Worship (D1 use) and for ancillary community uses, public conferences and performances

## **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 regarding this application which is seeking to formalise use of the Hippodrome as a place of worship with ancillary community, conference and performance use.

The Hippodrome is a statutorily Grade II listed heritage asset and is a rare example of a surviving large-scale suburban theatre. Furthermore it is significant and of great architectural and historic interest as having been designed by renowned theatre architect Bertie Crewe. From the late 1960s until 2003 it was used by the BBC as a concert hall and live studio. Several notable bands and artists played during this time including AC/DC, Blur, John Denver, INXS, The Kinks, Queen, Scott Walker and The Who, some of whom commercially released recordings of their Hippodrome performances. A number of radio and television shows were filmed in the Hippodrome including the first series of Monty Python's Flying Circus, and it was also used for comedy, theatre, musical concerts and boxing. Therefore it also has immense cultural significance which contributes towards the high regard in which the Hippodrome is held by local people and those with connection to it.

### **Theatres Trust**

22 Charing Cross Road, London WC2H 0QL

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**Chair** Tim Eyles **Director** Jon Morgan

**Trustees** Richard Baldwin, Paul Cartwright, Paddy Dillon, Annie Hampson, Richard Johnston, Gary Kemp, Jane Spiers, Truda Spruyt, Katie Town

The National Advisory Public Body for Theatres

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The Trust considers that given the Hippodrome's size, accessibility and relatively good condition there is realistic prospect that it could be returned to viable use as a performance venue. Therefore use of the building must not undermine its character and function or the ability for performance use to be reinstated without compelling evidence it is surplus to requirements. This position is consistent with local, regional and national policy, such as paragraph 92 of the NPPF (2019), Policy HC5 of the London Plan (Intend to Publish, December 2020), Policy CS10 of Barnet's Local Plan Core Strategy (2012) and Policy DM13 of Barnet's Local Plan Development Management Policies (2012).

One element of this application for change of use refers to the technicality of wording – 'place of worship'. A previous application in 2017 had sought this change (reference C00222W/07) along with an extension to operating hours and this was supported by the Trust. The alteration to wording is needed because the application which originally changed the use of the building (C00222W/07) referred to use as a 'church'. Clearly that was relevant to the end user at the time but does not reflect the broader multi-denominational terminology more commonly referred to within the planning system. Neither did the Trust raise any objection to the original change of use to a 'church' in 2007 but this was on the basis that safeguards were in place to maintain potential for a full return to theatre use and to ensure that theatrical activity in the area was sustained.

The second part of the change of use references ancillary activities and we welcome that these are being retained. This formed part of the safeguards of cultural use and community benefit which led us to support previous applications. It is important they are formally reflected within any decision notice and safeguarded by future conditions.

However, those activities have not been undertaken in recent years as mandated by condition 3 of permission C00222W/07 in accordance with the relevant public performance management scheme submitted. The submitted programme included music concerts to be held approximately once per month, film screenings, conferences, a Christmas fair, a Christmas service and an externally sourced Christmas pantomime. Failure to comply with condition 3 has resulted in enforcement action being taken with an Inquiry pending should matters not be resolved by this application. Fundamentally, lack of accordance with the planning condition has diminished the Hippodrome's role as a community and cultural asset without justification to the detriment of the wider community.

We are particularly concerned that the applicant's stated intentions for operation of the Hippodrome do not go far enough to satisfy us that there will be genuine effort to ensure the building is operated in the spirit of the original condition, particularly with regards to "ensuring an appropriate level of public performance for the benefit of the community" as per the reason for condition 3 of the 2007 permission.

We would dispute that the existing performance management scheme has a Christian rather than universal focus as suggested within paragraph 5.3.4 of the Planning Statement although as

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with the alteration from 'church' to 'place of worship' this could in any case be addressed through a minor edit to language. This conflict relates to an obligation to hold a Christmas fair, Christmas service and Christmas pantomime. It is arguably more indicative of the time of year they would be held, which from a practical perspective would also have maximised the Hippodrome's community benefit and the viability and income potential for the venue's operator. Pantomimes are mostly but not exclusively held at Christmas and are very popular, and not generally religious in nature. Likewise, 'Christmas' fairs can attract a broad cross-section of the community and support a range of small businesses, makers and local groups. Such markets could also be held at other times of year. A Christmas service is clearly more 'Christian' in nature but again has the potential to bring a significant number of people into the building; this would not preclude other festivals being celebrated and we note for example the Public Performance Management Scheme put forward references Sadaqa Day and Big Itfar being open to the wider community which is positive and welcomed.

Although paragraph 5.3.5 of the Planning Statement is technically correct in there being no adopted policies protecting against the loss of performance uses in literal terms, Policy 2.7.A.k of the London Plan (2017) supports leisure, arts and cultural uses including specifically theatres and the contribution they make to the outer London economy. Policy HC6 of the London Plan (Intend to Publish, 2020) does specifically protect and support cultural venues including theatres, music and other arts venues. As the Secretary of State has given approval for adoption of the new London Plan we consider it to carry significant weight in decision making with reference to paragraph 48 of the NPPF (2019). It is true that the Hippodrome had not been a 'theatre' for almost forty years prior to the 2007 permission, but was clearly used for theatrical and live performance purposes throughout the subsequent period until the BBC vacated. Movement of theatre buildings between other cultural and performance functions is not uncommon, neither is return to live performance after having been in other uses in the meantime.

Looking at need for theatre in isolation as discussed in paragraph 5.3.3 without considering other live performance functions such as a music venue is flawed. Although the Hippodrome is some way from the West End and central London, this is equally true of other large-scale venues such as Alexandra Palace, the O2, Wembley Arena (all of which are further than Golders Green) and Brixton Academy. We consider the Council's original position of maintaining an element of live performance to be a sound principle which continues to be justifiable and must be maintained now. There is no evidence to suggest that attempt to market the building to operators for live performance has been attempted, at least in recent years, therefore in turn there is no evidence that existing planning conditions for the Hippodrome should be weakened.

The challenge we have with the Public Performance Management Scheme put forward is that we consider it too weak in ensuring and enabling wider use of the Hippodrome, in particular the main auditorium. The weekly activities are typically associated with community and cultural organisations and would most likely require only small parts of the building irrespective of whether they are opened to the wider community. This likewise applies to doctors consultations, reading clubs and skills training. A monthly film screening reflects the existing management

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scheme, and has the potential to be highly popular if run genuinely with sufficient and appropriate marketing. The Christmas yearly food drive is clearly of great benefit to those in need, but it is not clear whether the Hippodrome itself is utilised. The screening of England football matches within the main auditorium – which we would assume to mean Euro and World Cup tournament matches – is welcomed and could potentially be very popular although would only occur in clusters every two years.

Other events would be by way of venue hire. Although open to venue hire generally because this would put the Hippodrome to use and contribute to its ongoing conservation, we object to the loss of theatre and live music from mandated activities. The problem with them being only for hires is if they are not required to happen it gives no incentive for potential bookings to be accepted. We have example elsewhere of demand for a facility which was not accepted by the operator. We recommend that at least an annual run of pantomime shows and a minimum number of live music performances are reinstated to the management scheme and that the scheme remains part of the conditions of any permission. We would also suggest there would be merit in retaining at least one market/fair, and consideration given to other religious celebrations.

We would note additionally that the use classes have been revised since this application was first submitted with places of worship and uses connected to them now falling within Class F1(f). However given that the applicant has expressed intention to market the building for other purposes and that some level of wider community and performance use has previously been mandated we would suggest there to be merit and legitimacy in the building being classed as 'Sui Generis' instead. This would reflect the mix of uses taking place and help safeguard the building's potential for future reversion to full performance use by ensuring a planning application would be required for any future change of use or alteration to uses. An alternative would be to condition the change of use to limit it to the current operator. This has been used successfully in Bournemouth at the Palace Court Theatre/Playhouse, and in fact the building has recently been vacated by the church group that operated it with proposals to return it to performance use and theatre training facility for a university at an advanced stage. This demonstrates there is potential for the Hippodrome to return to dedicated performance use once again, particularly because it benefits from a well-connected London location and strong reputation.

In conclusion, we are supportive of the overall principle of formal change of use as described. However, this is dependent on appropriate conditions being maintained which protect some level of guaranteed live performance use for the benefit of the wider community both locally and further afield. We object to the specific Public Performance Management Scheme as currently put forward because it results in the loss of mandated live performance which we believe could be highly successful. We recommend the management scheme is revised as we suggest.

The Hippodrome is a very important building for the Trust and we are keen to see that it remains occupied and open to the community. We would be keen to work positively with the applicant and the Council to secure a positive way forward and would welcome further engagement.

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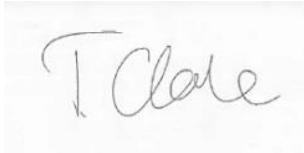
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Please contact us should you wish to discuss these comments further.



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