

Protecting theatres for everyone



Ref.: TC

23 November 2022

Jenni Perkins
County Hall
Mold
Flintshire
CH7 6NF

By e-mail: planning.consultation@flintshire.gov.uk

Application: FUL/000143/22

Site: Hawkesbury Little Theatre, Mill Lane, Buckley, CH7 3HB

Proposal: Continued siting of Portable Building for use as ancillary changing facilities.

Remit:

Theatres Trust is the National Advisory Body for Theatres and was established by The Theatres Trust Act 1976 'to promote the better protection of theatres'. The Trust is a statutory consultee in the planning system and local planning authorities in Wales are required to consult the Trust on planning applications for '*development involving any land on which there is a theatre*', '*residential development within 50 metres of a theatre*' as well as for proposed theatres. The definition of theatres within the Act defines a theatre as 'any building or part of a building constructed wholly or mainly for the public performance of plays', and therefore applies to theatres, playhouses, arts centres, ciné-varieties or buildings converted for theatre use, old and new, in other uses or disused.

Comment:

Thank you for consulting Theatres Trust regarding this application for planning permission at Hawkesbury Little Theatre. It seeks the retention of a portable structure which is used to provide dressing rooms for the theatre. The application has already been presented to the Council's Planning Committee with a recommendation for refusal for which a decision was deferred; we were not previously notified.

Hawkesbury Little Theatre is a small community theatre which is run by the Buckley Theatre Club, a local amateur dramatics society. It opened in 1984 with improvements being made to the building following a long-term lease being signed from the Council in 2001. A further ambition has been to provide new dressing rooms, a larger stage and to increase capacity. The theatre hosts the Club's annual productions including a pantomime, along with rehearsals and other activities. It is a valuable cultural and social asset for the town, providing opportunities for local people to come together and volunteer and participate in theatre and the arts. This is beneficial

Theatres Trust

22 Charing Cross Road, London WC2H 0QL
T 020 7836 8591 E info@theatrestrust.org.uk W theatrestrust.org.uk

Chair Dave Moutrey **Director** Jon Morgan

Trustees Paul Cartwright, James Dacre, Suba Das, Stephanie Hall, Annie Hampson, Richard Johnston, Gary Kemp, Lucy Osborne, Jane Spiers, Truda Spruyt, Katie Town

The National Advisory Public Body for Theatres

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

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for the social and cultural wellbeing, also helping to reduce isolation and allowing people to develop new skills.

We understand the portable structure subject to this application to have been installed in 2004 under a temporary permission after which it was subject to a series renewals all of which have been permitted, most recently in 2016. There is no record of the Trust having been consulted on any of these. The structure provides dressing rooms for the theatre, and is therefore vital for the theatre to be able to effectively function. Further renewal of permission is sought, and this is something we would support to enable the theatre to maintain its operations whilst efforts continue to find a longer-term solution as has been the aspiration for some time.

Whilst accepting that the structure causes some harm to the setting of the neighbouring Grade II listed Hawkesbury Hall, this must be balanced against the wider public benefits for the town of maintaining the theatre and supporting the wellbeing of those associated with it. On that basis in heritage terms we consider there is sufficient mitigation, particularly given that the portable nature of the structure makes harm reversible. Furthermore there has been no alteration to the appearance, scale or function of the structure and the Council through consecutive previous planning decisions has found this acceptable. Five of those decisions have come after adoption of the Unitary Development Plan and were therefore judged by the same policies on design (in particular D1 and D2) applicable currently.

The Committee report of 26 October 2022 cites harmful impact on living conditions at Hawkesbury Hall as a reason for refusal. Residential use was not permitted at the Hall until 2012, and we believe it was not occupied until 2015 at the earliest. This was a number of years after the dressing room block became operational, and the theatre itself was already long-established before that. As such the theatre and this block in particular was an existing use and potential source of noise and light, equally impact on visual amenity was already known. Again, permissions for retention were granted subsequent to permission and occupation of the Hall. The letter of 26 May 2017 from the Cabinet Secretary for Environment and Rural Affairs made clear that local planning authorities should apply the 'agent of change' principle in decision making with immediate effect. Planning Policy Wales Edition 11 (2021) states the agent of change principle will be a guiding principle for supporting the evening economy. Therefore impact on living conditions should be disregarded as a reason to potentially refuse permission for this application, and if mitigations are required any burden should not fall with the theatre.

Should permission for this application be refused, we consider such a decision would conflict with the Well-being of Future Generations (Wales) Act 2015 because harm to the theatre's ongoing operation would be detrimental to social and cultural well-being.

Therefore we recommend the granting of planning permission for ongoing retention of this portable building.

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

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A handwritten signature in black ink on a light-colored background. The signature reads "T Clarke" in a cursive, slightly slanted script.

Tom Clarke MRTPI
National Planning Adviser

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