

Protecting theatres for everyone



Ref.: TC/3820

16 December 2022

Mrs Victoria Taylor
Country Hall
Beverley
East Riding of Yorkshire
HU17 9BA

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

Application: 22/03203/PLF

Site: Minster Towers, 8 Lord Roberts Road And Lord Roberts Car Park Lord Roberts Road
Beverley East Riding Of Yorkshire HU17 9BE

Proposal: Erection of 24 dwellings with new access road and associated parking and landscaping following demolition of existing buildings (Minster Towers Care Home, No. 8 Lord Roberts Road, and Public Conveniences), and construction of car park (47 spaces)

Remit:

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 been brought to the attention of the Trust because it is proposing new residential development on a site adjacent to East Riding Theatre and which will have an impact on the theatre and its operations.

East Riding Theatre has become a valued and important cultural and social asset for Beverley since it opened in 2014, operated by a charitable trust and primarily staffed by volunteers. It provides local people with access to theatre and the arts, offering opportunities for participation and engagement. It produces its own work and has a mixed programme of theatre, live music, comedy, poetry and other functions. Paragraph 93 of the NPPF (2021) seeks planning decisions to plan positively for facilities such as this and to guard against unnecessary loss. Additionally the theatre is a statutory Grade II listed heritage within the Beverley Conservation Area, occupying a former Baptist chapel.

Theatres Trust

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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

The proposed site is a designated site allocation (Policy BEV-N) for comparison retail and residential development within the East Riding Local Plan 2012 – 2029 Allocations Document (2016). Its existing use is that of a former care home and car parking; the theatre is within the site allocation boundary but is excluded from this development. The accompanying notes in paragraph 6.31 requires a development scheme to allow for the retention of what is now the theatre and conversion to a suitable use; the latter not being necessary as it had already been undertaken prior to adoption of the plan. Although comparison retail and residential up to an indicative capacity of sixteen dwellings were the stated landuses, the allocation alternatively allowed for other town centre uses including leisure and employment. Within the East Riding Local Plan Update 2020 - 2039 Draft Allocations Document Update 2020 – 2039 (2021) this site allocation has been revised to give an indicative capacity of twenty-five homes and a fifty-space car park. Paragraph 6.31 requires development to allow for the retention of the theatre. Although this policy has not been adopted it carries significant weight.

This development is proposing twenty-four homes and a car park of forty-seven spaces. Therefore it is broadly in accordance with the draft allocation (although not the adopted one), but has a small shortfall in public parking provision. Whilst this is not ordinarily a matter on which the Trust would comment, in this instance there are direct implications on the existing theatre and its operations, and in both versions of the policy there is a clear presumption in favour of retaining the theatre.

Although the shortfall in parking provision is small, it is nonetheless significant given its importance in supporting the theatre and its users particularly those from its wider catchment. Moreover, the layout of the site will prevent direct access to the theatre for larger vehicles which are necessary for the delivery and removal of sets and equipment. This is a significant problem and one which would undermine the theatre operationally and its ability to handle and attract shows. Therefore the proposal would be in conflict with the respective BEV-N site allocation requirements of allowing for the retention of the theatre, and with paragraph 187 of the NPPF which seeks to ensure that new development can be integrated effectively with existing community facilities. Paragraph 187 is also clear that existing facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established (the ‘agent of change’ principle).

The site allocation total of fifty spaces is already a reduction on those currently available. We recommend that design and layout of the scheme is reviewed to at least meet the site allocation requirement. This could potentially be achieved by shifting parking provision to the opposite side of the site alongside the theatre. This would in turn also provide more of a buffer between the theatre and incoming residential uses to mitigate against conflict between the theatre and new occupants, and importantly it would maintain direct access to the theatre for larger vehicles which are necessary for the delivery and removal of sets and equipment.

There is also potential for noise from the theatre and its activities to negatively impact on the amenity of future residents. Again with reference to paragraph 187 of the NPPF it is vital that the theatre’s current activities are not prevented through the implementation of new restrictions, just

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as it is important that future occupants have appropriate living conditions. We would note that it is not just performances and events which could cause disturbance, but also the potential for late-night or early-morning removal and delivery of sets and equipment to take place which are essential to meet the needs of touring shows. From the proposed plans it appears that such impacts would particularly affect Plot 18, but also potentially those adjacent to the theatre (Plots 13-17) and others nearby. If the current scheme is to be progressed we recommend submission of appropriate acoustic assessment and details of mitigations which would be required to make development acceptable.

We do not object to the principle of redevelopment of this site, but we do object to the scheme as currently submitted for the reasons outlined above. It is currently in conflict with local and national policy on the protection of the theatre as a valued cultural facility as it would impact on and compromise its operations and overall viability.

We would be keen to engage positively with the applicant, the Council and East Riding Theatre to find an acceptable way forward.

Please contact us 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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