

# Protecting theatres for **everyone**



Ref.: TC/215

11 July 2023

James Grundy  
Resources Directorate  
Planning & Regeneration  
Town Hall  
Ilkeston  
Derbyshire  
DE7 5RP

By e-mail: [planning@erewash.gov.uk](mailto:planning@erewash.gov.uk)

**Application:** ERE/0623/0040

**Site:** Properties 10 Oxford Street And 37 To 45 Derby Road Long Eaton Derbyshire NG10 1LU

**Proposal:** Outline application for the demolition of all buildings and redevelopment of the site edged red for 16 flats, 4 town houses, ground floor commercial use fronting Derby Road, courtyard parking and internal site landscaping. Approval of matters of access, layout, scale and appearance sought now.

## **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'.

## **Theatres Trust**

22 Charing Cross Road, London WC2H 0QL

**Telephone** 020 7836 8591 **Email** [info@theatrestrust.org.uk](mailto:info@theatrestrust.org.uk) **Website** [theatrestrust.org.uk](http://theatrestrust.org.uk) **Twitter** @TheatresTrust

**Facebook** @theatres.trust **Instagram** @TheatresTrust

**Chair** Dave Moutrey OBE

**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

**Comment:**

Thank you consulting Theatres Trust on this application for outline planning permission. We have been notified because the application site includes the former St James's Theatre which later became the Scala Cinema, a bingo hall and then a cinema again before closing in 2012. It has been vacant since that time.

St James's Theatre opened in 1907 and was designed by local architect C. Ross. In its early years it went in and out of dedicated theatre use, with cinema provision added in 1910 but ceasing in 1916, before being re-introduced again in 1923 with a name change to the New Scala Cinema. In late 1934 a fire caused serious damage and the building was substantially rebuilt and redesigned in a more Art Deco style. It offered a capacity of around 850 across stalls and circle level, and was re-equipped with a stage and dressing rooms which facilitated continued variety shows. In 1964 it closed and like many cinemas and theatres around that time was converted for bingo use. In 1993 bingo ceased and the building suffered another fire. After over ten years of vacancy it was purchased and converted back to cinema use, with the stalls being sub-divided to create three smaller screens. This closed in 2012 and again the building has been vacant and in a deteriorating condition.

As this site was originally constructed entirely as a theatre and maintained some live use following its 1930s remodelling it is within our interest and statutory remit. However, as in this iteration of its evolution it was primarily designed for cinema use and following the more recent 'Galaxy' era cinema remains the building's lawful use we would encourage additional consultation with Cinema Theatre Association who are the expert body for cinemas.

From our perspective this proposal gives rise to two primary issues. One is the loss of the building itself, and the other is the loss of cultural use and provision.

In relation to the latter our general position, supported by national and local policy, is that it should be demonstrated the site is surplus to requirements for continued community or cultural use before other uses or developments are considered. Paragraph 93 of the NPPF (2021) guards against the unnecessary loss of facilities. Policy 13.2 of the Erewash Core Strategy (2014) protects existing cultural facilities, and part c. of Policy EV5.3 of the Erewash Borough Local Plan Saved Policies 2005 (2014) does not permit demolition within a conservation area unless it is demonstrated the building is incapable of beneficial usage.

Options for beneficial reuse are explored within the submission. We acknowledge the challenges in retaining such uses, in terms of financial viability, due to the condition

**Theatres Trust**

22 Charing Cross Road, London WC2H 0QL

**Telephone** 020 7836 8591 **Email** [info@theatrestrust.org.uk](mailto:info@theatrestrust.org.uk) **Website** [theatrestrust.org.uk](http://theatrestrust.org.uk) **Twitter** @TheatresTrust

**Facebook** @theatres.trust **Instagram** @TheatresTrust

**Chair** Dave Moutrey OBE

**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

of the building. Nonetheless, the statement also alludes to there having been a lack of investment in the building and its upkeep which could have arrested further deterioration and made it more attractive to occupants. Therefore this does not in itself justify loss of use, particularly because once lost these types of buildings and the volume they offer are challenging and costly to replace in future. To fully address these policies and the spirit in which they are drafted we recommend further assessment of need and demand for cinema, theatre or other such social and community uses, or other uses compatible with the building's form and volume, to demonstrate it no longer exists within Long Eaton. This could for example include demonstration the catchment is already adequately served, and evidence the site has been marketed for such uses without success.

On loss of the building, although in a deteriorated condition we disagree with the applicant's position that "it does not fit well within its context" and consider that it positively contributes to local townscape and the character of the Long Eaton Town Centre Conservation Area. It can be considered as a non-designated heritage asset. It is of interest due to its 1930s Art Deco frontage which is likely unique within the town. Past images demonstrate it is the building's condition rather than its design which detracts from the conservation area. Therefore, options for retention should be prioritised particularly in light of the environmental implications of demolition rather than retention and re-use.

However, again we recognise the challenges in this instance of delivering a viable scheme given the building's deficiencies and limitations. Given this proposal results in total loss paragraph 203 of the NPPF states that a balanced judgement is required in determination having regard to the significance of the asset. There would be merit in alternative design approaches being set out, for example including some element of retention, and it being demonstrated as to why these would not be reasonable options and could not be viable.

If the principle of loss of this building is deemed acceptable, we recommend inclusion of a written and photographic historic recording report should permission be granted. This is so that the interest and significance of the building and its history can be documented for the benefit of future generations. It is possible, based on other similar conversions, that behind the 1960s and later alterations and sub-divisions there is original fabric and features which may remain concealed. We also urge engagement between the appointed consultant carrying out this work and ourselves to ensure the report is of sufficient standard and that features and their significance

#### **Theatres Trust**

22 Charing Cross Road, London WC2H 0QL

**Telephone** 020 7836 8591 **Email** [info@theatrestrust.org.uk](mailto:info@theatrestrust.org.uk) **Website** [theatrestrust.org.uk](http://theatrestrust.org.uk) **Twitter** @TheatresTrust

**Facebook** @theatres.trust **Instagram** @TheatresTrust

**Chair** Dave Moutrey OBE

**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

## Protecting theatres for **everyone**



and function is understood, and that we are consulted by the Council prior to discharge.

To ensure the building is not unnecessarily lost and the site left long-term vacant, which could cause even greater harm to the character and significance of the conservation area, we also recommend inclusion of a condition requiring a full planning permission with evidence of a contract for the carrying out of works for redevelopment of the site being in place submitted to the local authority for approval prior to any demolition works commencing.

In conclusion, for us to raise no objection to the proposed development we urge submission of further detail and justification which addresses the points we have raised. We also urge the inclusion of planning conditions as part of any permission as outlined above.

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

Tom Clarke MRTPI

National Planning Adviser

### Theatres Trust

22 Charing Cross Road, London WC2H 0QL

**Telephone** 020 7836 8591 **Email** [info@theatrestrust.org.uk](mailto:info@theatrestrust.org.uk) **Website** [theatrestrust.org.uk](http://theatrestrust.org.uk) **Twitter** @TheatresTrust

**Facebook** @theatres.trust **Instagram** @TheatresTrust

**Chair** Dave Moutrey OBE

**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