

The Theatres Trust
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Our Ref: VS/37 & 38



25 August 2010

For the attention of Mr Matthew Gibson

Mr Stuart Timmiss
Head of Planning Services
Durham County Council
Teesdale House
Galgate
Barnard Castle
County Durham, DL12 8EL

Dear Mr Timmiss,

The Witham Hall, Horsemarket, Barnard Castle
Application Ref: 6/2010/0162/DM and 0163/DM/LB

Thank you for consulting The Theatres Trust on the above planning and listed building applications to redevelop the existing *Witham Hall* complex, including demolition of the hall at the rear and erection of a new events space for community, cultural and commercial facilities and associated facilities; cinema and retail units. Please see our detailed advice below.

Remit: The Theatres Trust is The National Advisory Public Body for Theatres. The Town & Country Planning (General Development Procedure) Order 1995, Article 10, Para (v) requires the Trust to be consulted on planning applications which include '*development involving any land on which there is a theatre.*' It was established by The Theatres Trust Act 1976 '*to promote the better protection of theatres.*' This applies to all theatre buildings. Our main objective is to safeguard theatre use, or the potential for such use but we also provide expert advice on design, conservation, property and planning matters to theatre operators, local authorities and official bodies.

Advice/comment: The Theatres Trust would regret the loss of the former Institute's hall to the rear of the *Witham* complex. We understand that there was a previous scheme for the site (planning references 6/2003/0552/DM and 0553/DM/LB) which retained the hall and constructed a new 176-seat theatre alongside. This was a far better scheme as the existing Institute's hall was retained thereby preserving the heritage asset. The local planning authority should be satisfied that the previous scheme is unviable before considering the current scheme for the site. Furthermore, I should point out, that we were disappointed not to be consulted under our statutory remit on the previous scheme or being included in pre-application discussions as it puts the Trust in a difficult position at this late stage in the planning process.

The Institute's hall is architecturally significant and has historic value as an early and well-preserved example of a once fairly common building type as pointed out in the *Witham Hall Statement of Significance* by Archaeo-Environment Ltd Mach 2010. Despite the common name for the hall, comparisons with Music Halls are unhelpful in this instance; early Victorian concert halls were often called music halls, and the term only gradually acquired its presently accepted application in the latter part of the century. It is better understood in the context of multi-purpose concert and lecture halls, which

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frequently formed a part of Mechanics Institutes but now rarely survive substantially intact. The closest comparator is the statutory listed Grade II* *Swindon Mechanics Institute*, built in 1855, but extensively remodelled in 1930 after a fire, with a new stage, proscenium and fly tower. Other examples which survive in their original state are much later, such as the *Phoenix/Maindy and Eastern Workmen's Institute and Hall* in Rhondda Cynon Taff, which dates from 1904. *Witham Hall* is therefore significant as an intact, well-maintained and substantially complete example of an increasingly rare type of distinctive building.

However, the Trust is not opposed in principle to the current scheme proposed, particularly if the applicants can satisfy the requirements contained within Planning Policy Statement 5: Planning for the Historic Environment (PPS5) and if it can be proved that this is the only viable site for a new theatre and the associated facilities and uses within the town centre. The Trust was established to protect and promote theatre use and as such, we would not support the demolition of a cultural facility without ensuring that an equivalent or improved replacement is provided. This scheme proposes a new 160-seat theatre and separate cinema space which is better appointed for than the current building, enabling a wider range of theatre to be staged and providing more amenable facilities for touring groups. This is therefore something which the Trust would be prepared to support in principle.

In order to satisfy the requirements of PPS5, the applicants would need to prove that *substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh the harm or loss* (9.2(i)) and that *there will be no other reasonable means of delivering similar public benefits, for example through different design or development of an appropriate alternative site* (Practice Guide para.91). Robust evidence of the public benefits and assessment of need for this development should be provided. The Practice Guide for PPS4 gives guidance on assessing need when planning a new cultural facility, stating that *it is important to look at existing provision of such facilities within an appropriate catchment* (c.35). It also advises that *consultation with key stakeholders is important in assessing the demand for new facilities* (c.37) and gives examples of relevant stakeholders to consult. Assessment of need should also review the impact of a new cultural facility on surrounding areas: *assessment of impact is usually addressed through an analysis of the competition with other similar facilities and the impact on the vitality and viability of any town centres in the catchment area* (c.40).

The Trust is aware that the *Witham* complex fulfils a valuable role in the local community and is used and appreciated by a wide variety of local groups. It is clear that the current hall is limited by its lack of backstage facilities, dedicated dressing rooms and lighting, putting constraints upon the type of production which can be put on. The *Witham Testimonial* itself requires considerable repairs to combat roof decay and damp ingress. This scheme aims to address some of these issues and to secure a reliable source of income to ensure the *Witham Testimonial's* continued maintenance for the benefit of the local community.

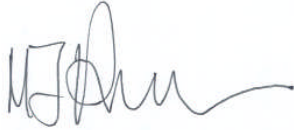
We have some reservations about the intended design, in particular the proposed timber cladding, which may sit awkwardly in a Conservation Area predominantly composed of buildings in the local sandstone. Nevertheless, the arrangement of theatre over cinema has been intelligently and compactly designed to maximise capacity without creating too bulky a building, taking advantage of the change in ground level to reduce the building's impact.

If the local planning authority decides to grant permission for the demolition of the Institute's Hall, we would like to have further conversations over suitable recording and salvaging as well as other conditions to be attached to the permission.

I hope you find these comments helpful. Please do not hesitate to contact us if we can be of further assistance.

I look forward to hearing from you over further submissions or amended plans and documentation.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'MJP', with a long horizontal flourish extending to the right.

Mark J Price MRTPI, IHBC
Planning and Heritage Adviser

cc Richard Collis, Feilden Clegg Bradley Studios
Bryan Harris, Durham County Council
Chris Myers, Durham County Council
Edward Strickland, Barnard Castle Vision
William Weston, Barnard Castle Vision
Alex Baldwin, The Victorian Society