

# Protecting theatres for everyone



Ref.: TC/2012

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Erika Eden-Porter  
Planning Services  
Burnley Borough Council  
Town Hall  
Burnley  
BB11 2DT

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

**Application:** FUL/2022/0481

**Site:** 126 St James Street Burnley Lancashire BB11 1NL

**Proposal:** Retention of existing commercial unit on the ground floor with the change of use on the 3 upper levels to have 3 self-contained apartments with the addition of a rear steel staircase for access.

**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 seeking a change of use to residential in close proximity to the Empire Theatre. The Empire is a Grade II listed heritage asset which is on the Trust's Theatres at Risk register.

The Trust advises caution where residential and other such sensitive receptors are located in proximity to noise-generating venues. In this instance the Empire has been vacant for some time although restoration plans are progressing and it will be important from a wider economic and placemaking perspective for the town that these are not compromised.

In this instance we recognise that upper levels within the same block have already been converted to residential use. There is also a buffer between this building and the auditorium provided by the rear service yard/alleyway. A further mitigation is the location of the habitable space to the front. Nonetheless, when operational there could be some acoustic breakout from the Empire. It is also possible that other necessary servicing activities might take place after events.

**Theatres Trust**

22 Charing Cross Road, London WC2H 0QL  
T 020 7836 8591 E [info@theatrestrust.org.uk](mailto:info@theatrestrust.org.uk) W [theatrestrust.org.uk](http://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

Therefore we recommend that there is sufficient soundproofing of these new residential units to ensure appropriate living conditions for occupants and that conflict with the Empire and other surrounding uses can be avoided. We would note for example that the existing 'Theatre Bar', large flue to the rear and general activity along St James's Street may themselves give rise to disturbance and on that basis the mitigations sought by paragraph 187 of the NPPF would be relevant. Equally whilst we recognise residential use might be otherwise permissible under permitted development rights were it not for additional development, there would in any case be a requirement for acoustic matters to be considered.

Subject to satisfaction appropriate living conditions can be achieved and the future operation of the Empire would not be compromised we raise no objection to this application.

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



Tom Clarke  
National Planning Adviser