

Ref.: TC

22 April 2024

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By e-mail: [PLNProcessing@angus.gov.uk](mailto:PLNProcessing@angus.gov.uk)

**Application:** 24/00199/FULL

**Site:** 38 Abbot Street Arbroath DD11 1HH

**Proposal:** Proposed Conversion of Part of Former Nursery Building to Form 2 Flats (Retrospective)

**Remit:**

Theatres Trust is the national advisory public body for theatres. We were established through the Theatres Trust Act 1978 'to promote the better protection of theatres' and provide statutory planning advice on theatre buildings and theatre use in Scotland through The Town and Country Planning (Development Management Procedure) (Scotland) Regulation 2013, 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:**

Thank you for consulting Theatres Trust on this retrospective planning application for residential use at 38 Abbot Street, Arbroath. We have been consulted because the units subject to conversion and change of use are below the Abbey Theatre Club which occupies the same building.

**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

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**Chair** Dave Moutrey OBE

**Director** Jon Morgan

**Trustees** James Dacre, Suba Das, Stephanie Hall, Annie Hampson, Lucy Osborne, Truda Spruyt, Katie Town

There was a previous planning application for this site which was submitted in 2019. Theatres Trust objected on the grounds of negative impacts on the theatre's operations and in turn of sub-optimal living conditions for future occupants arising from acoustic conflict. That application was eventually withdrawn in 2023. Evidently development in any case proceeded without the requisite consents being in place. This is one of two applications submitted seeking retrospective consent, covering Units 1 and 2. The other, for Units 3 and 4 (application reference 24/00179/FULL), we submitted comments on recently.

As noted within our comments for the corresponding application, there is now additional policy in respect of neighbouring developments and the 'agent of change' principle following adoption of National Planning Framework 4 (NPF4) in February 2023. Policy 23.e does not support development which is likely to raise unacceptable noise issues, applying the 'agent of change' principle to noise sensitive development. Where significant effects are likely, as we contend would be the case in this instance, a Noise Impact Assessment may be required. Policy 31.d goes further, stating that development proposals in the vicinity of existing arts venues will fully reflect the agent of change principle. Applications can only be supported where impacts are demonstrably acceptable and that existing venues can continue without additional restriction. In addition to NPF4 policy, Policy DS4 of the Angus Local Development Plan (2016) also states that development will not be permitted where there is an unacceptable adverse impact on the amenity of future occupiers including as a result of noise and vibration levels.

Whilst these residential units do not sit beneath the auditorium or stage area which would likely generate greatest noise and vibrations particularly from performances and auditions, supporting functions for theatres can nonetheless also give rise to sources of disturbance. These units are below storage, costume and workshop areas. The workshop provides an important function in developing and maintaining the theatre's sets and equipment and is industrial in nature, thereby creating noise and disturbance from machinery. There is also likely to be movement during and after shows with equipment being moved around. Whilst there is some separation between these units and the stage, it is possible nonetheless that there could be some acoustic and vibrational transfer through the building's structure.

The Abbey Theatre Club is an important community and cultural asset for Abroath and its surrounding catchment. It is run by its members, providing opportunities for local people to access and participate in theatre and the arts, to volunteer and to learn and develop new skills. It produces its own work as well as hosting occasional

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external performances, events and hires. Theatres and venues such as the Abbey help improve social and cultural wellbeing and reduce loneliness and isolation. Therefore planning decisions should protect them from harm or loss; Local Development Plan policy TC8 seeks the retention of community facilities.

As with the corresponding application no Noise Impact Assessment has been made available for review. Without sight of this it would not be possible to scrutinise the opinion of the applicant that this development is in keeping with the Angus Local Development Plan and NPF4. In fact, the statement refers to the wrong properties in its conclusion and acknowledges previous issues were within these units. the assertion that there are no sound impacts on Units 3 and 4.

In the absence of relevant information, our current position is that we would object to the granting of retrospective planning permission. Nonetheless, even in the event that noise impacts were deemed acceptable we would still seek imposition of robust planning conditions and legal agreements to ensure suitable mitigations and in place and the activities of the theatre can be protected into the future.

Please contact us if we may be of further assistance or should you wish to discuss these comments in further detail, and continue to consult with us should additional evidence be submitted.

Tom Clarke MRTPI  
National Planning Adviser

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