

Chipping Norton Town Council

The Minutes of the Planning Meeting held on 2nd November 2020

A Planning Meeting was held remotely due to restrictions imposed by government because of the COVID-19 pandemic on Monday 2nd November 2020 at 7.00 pm online and via video conference.

The following Councillors were present:-

Cllr G Mazower, Mayor
Cllr S Coleman, Deputy Mayor
Cllr R Benfield
Cllr C Butterworth
Cllr J Graves
Cllr D Heyes
Cllr M Jarratt
Cllr M Tysoe

Officer: The Deputy Town Clerk

1. Apologies for absence
Apologies for absence had been received from Cllr R Poole.
2. Declarations of interest – None to declare.
3. Applications for consideration:-
 1. Our Ref: 4499 (20/02436/FUL)
25 High Street, C/N
Erection of a new two-bedroom dwelling with carport and rear garden.
Comments
The Town Council objects to this planning application – there is only one carport for one car, it needs parking for at least two. We would also like to see environmentally friendly new build dwellings. The site is very small and would be overdeveloped and there is a lack of amenity space.
 2. Our Ref: 4500 (20/02481/FUL)
29 – 30 High Street, C/N
Re-development to create a mixed-use site comprising of a cinema and thirteen serviced self-contained (short term let) apartment suites together with provision of car parking, formation of vehicular access and other associated works.
Comments
The Town Council would like reassurances and further information and discussion about the nature of the cinema to know that it is not a serious threat to the Theatre's operation which has a film programme. The Town Council would welcome discussions with the developers and WODC to iron out this issue and request that the deadline for our comments is extended to seek further information.
Attached are the comments from the Chipping Norton Theatre.
 3. Our Ref: 4501 (20/02596/HHD)
Loft conversion with roof lights to front and rear of property.

Comments
No objection

4. Date of Next Meeting
The date of the next meeting was to be arranged as applications are received.

The meeting closed at 7.53 pm

ANNEX A

Chipping Norton Theatre Objections to the proposed new Cinema Development Ref WODC planning application: 20/02481/FUL

Setha Group, working with The Living Room Cinema, have recently submitted planning proposals to West Oxfordshire District Council for a new development on the site of the old Harpers store on Horsefair. This development would include a 2 screen boutique cinema. Whilst Chipping Norton Theatre readily acknowledges the potential for increased cinema provision in the town, and have been exploring options for providing this ourselves, we believe that this development is not in accordance with West Oxfordshire's development plans, not in the overall best interest of the town, and would represent a critical threat to The Theatre, its activities and social provision for the town. We would appreciate hearing the views of town councillors on our concerns below, and, where possible, the expression of any reservations to the West Oxfordshire planning authorities.

Overview: The recently submitted planning statement for the development asserts that "There would be no significant negative impacts" for Chipping Norton [Planning Statement para 6.3]. Having previously decided not to pursue the Harpers site for a possible cinema space ourselves, we aim to show this to be false on the basis that:

- Most importantly, the new development would, in its impact on the existing provision of Chipping Norton Theatre, damage the overall function, viability and vitality of the town centre, and deplete the town in terms of tourism, local economy and social provision.
- The new development does not offer sufficient parking provision and would exacerbate the town's existing parking challenges.
- The new development does not sufficiently deal with the dangers of a public entrance on a very dangerous part of Horsefair.

We have engaged directly with both the developer (Setha Group) and cinema provider (Living Room Cinema) to explore possibilities for collaboration and integration with the existing provision in town, but these proposals have not been met favourably. We await a reply to our latest proposals.

Factual Errors The planning statement contains a number of factual errors regarding the existing provision in Chipping Norton that we wish to draw to the attention of planning officers and members. These are: -

- "...the town's theatre, which also occasionally showed films". [Planning Statement para 4.13]
- "There is also currently no cinema in Chipping Norton." [Planning Statement para 5.2] –
- "...provide a 91-seat cinema, which is a leisure facility that does not currently exist in Chipping Norton" [Planning Statement para 6.1]

Whilst there are substantial differences between the current offer made by Chipping Norton Theatre, and the proposed offer, we find the above statements to be misleading and incorrect. Chipping Norton Theatre has been screening films as a professional cinema since the late 1980s. We are full members of the relevant trade bodies, including the UK Cinema Association, The Independent Cinema Office (ICO) and Film Hub South East. We show 125 film screenings per year, limited by our single mixed-use auditorium. Whilst this is fewer than the proposed new development, we do not believe it can be accurately described as

'occasional', and given that over 11,000 people each year watch a film at our cinema, we believe that there is clear evidence of an existing cinema and cinema programme in Chipping Norton. We do not dispute that the new development proposes exciting growth of cinema opportunities for the town, but in denying the existence of our current cinema programme, it suggests that there would be no negative impact on existing provisions.

Impact on the Community

The Local Plan (Policy E6) gives guidance for conditions on the change of a site's use away from retail. 'Where development resulting in the loss of shops or other town centre uses is proposed contrary to this policy it will need to be satisfactorily demonstrated that:

- following a robust marketing exercise the site or premises are not reasonably capable of being used or redeveloped for these uses; or
- the alternative use will positively contribute to the function, vitality and viability of the town centre.' Similarly, in paragraph 9.4.65 of the Chipping Norton sub-area in the Local Plan 2031 it is stated that 'other shopping and leisure proposals will be supported where they enhance the viability of the town centre as a whole.' West Oxfordshire's Economic Objective CO3 is to "Promote safe, vibrant and prosperous town and village centres and resist proposals that would damage their vitality and viability or adversely affect measures to improve those centres." (West Oxfordshire Local Plan).

The new development – a commercial exercise by two commercial bodies – would represent a critical threat to the operation and viability of Chipping Norton Theatre, a charity with over 40 years operation in the town. Cinema is the most dependable and stable activity that The Theatre undertakes, delivering a surplus, as an activity of around £65,000. This income subsidises less commercial activities, such as our community outreach, our work with young people and care homes, and the visiting programme of theatre, dance, music and comedy. It would be impossible for The Theatre, particularly during the current climate, to replace this £65,000 surplus, (which is equivalent to two and a half times the grant we receive from WODC) meaning significant redundancies and a dramatic reduction in our non-commercial activity would follow. In the West Oxfordshire Local Plan, para 6.67, it is stated that "The Council will continue its approach of resisting the loss of local services and community facilities as a result of change of use proposals."

It is wholly unrealistic to suggest that a town of Chipping Norton's size could sustain two cinema operations in direct competition for the same demographic. Our mixed use auditorium currently restricts us to being a late release cinema (showing films around 6 weeks after release date) making it almost impossible to compete viably with a new release cinema. We have confirmed with the new operator that the programming policy would closely reflect our existing offer ("quality mainstream").

We have worked hard to engage with the developer and proposed cinema operator, to propose possible forms of collaboration and cooperation that might allow the two organisations to co-exist, but have thus far found little willingness.

Parking

Paragraph 7.87 of the West Oxfordshire Local Plan states that: 'in Chipping Norton public car parking spaces in the town centre are insufficient to meet current needs.' Whilst the new development increases the number of car parking spaces at the rear of the property, these spaces would be for guests of the serviced apartments and the cinema manager" [Planning Statement para 4.8]. As the planning statement further confirms "No parking is proposed on

site for cinema customers". [Planning Statement para 4.9] "As no parking for the cinema is proposed on site, any parking demand will need to be accommodated within existing car parks within Chipping Norton." [Planning Statement para 5.57]

As an existing leisure business in the town, we know that parking for customers can be extremely challenging and off-putting to customers, particularly for daytime events that coincide with shopping hours (the proposed cinema will offer screenings in the afternoons as well as evenings).

West Oxfordshire's Local plan. Policy T4, states that "Development proposals which significantly increase car parking demand will be expected to make appropriate public car parking provision or equivalent financial contributions."

Safety

Access for cinema customers to the new development would be "solely from High Street/Horsefair on the site frontage" [Planning Statement para 4.7]. As the planning statement acknowledges, this part of Horsefair is extremely dangerous, having "a poor accident record with pedestrians being hit by passing vehicles, including one death [Planning Statement para 4.13]. The previous use of the premises as a shop meant that visitors arrived and left in a steady pattern throughout the day. Operating as a cinema means that guests would likely arrive and depart within a short period of time, substantially increasing the danger to pedestrians at this pinch point.

Conclusions:

We believe that:

- The new development is problematic in terms of pedestrian safety and parking provisions.
- The arrival of the new cinema development would make our existing cinema programme unviable. - The relatively sudden loss of a major source of profitable income to us, as a charity, would threaten the existence of The Theatre and its considerable, socially impactful offer to the town.
- The closure of The Theatre, or the substantial downgrading of its activities would have a negative effect on the health, wellbeing, educational and cultural opportunities of those in the town, and in our wider catchment area. The current proposed development would therefore, in terms of its overall impact, not be a positive contribution to the town, conflicts with local planning policies E5 and E6, and should be reconsidered.

We support the principle of increasing the leisure and cultural opportunities in the town, and remain open to engagement around collaboration with the new development, or options to support Chipping Norton Theatre through the radical change to its business model that would be required should this development proceed.

John Terry (Artistic Director), Jo Robinson (General Manager), Richard Greaves (Chair of Trustees), The Theatre Chipping Norton. October 2020.