

# Protecting theatres for **everyone**



Ref.: TC/2434

01 March 2018

By e-mail: [registration@southandvale.gov.uk](mailto:registration@southandvale.gov.uk)

FAO: Paul Bowers

**Dear Mr Bowers**

I write regarding the planning and listed building applications below which relate to a site bounding the Corn Exchange Theatre. The Trust **objects** to these applications. Please see our advice below.

**Applications:**

17/S3579/FUL & 17/S3580/LB

**Site:**

4 Market Place Wallingford OX10 0EH

**Proposal:**

Demolition of 20C additions to a listed building and reduction of the A1/A2 retail space to accommodate 8 no. new-build residential units and 9 no. car parking spaces, all accessed from the rear, off Wood Street. (As amended by drawings accompanying e-mail from agent received 24 January 2018 and floor plan drawings received 29 January 2018 and amplified by Heritage Statement Appendix A and B Design Statement- Supplement 10 January 2018);

**Remit:**

The 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:**

The Grade II listed Corn Exchange has been conserved as a heritage asset by its use as a community theatre since its conversion, and the Trust would advise against any form of neighbouring development which could jeopardise its future viability as a cultural asset for Wallingford.

The proximity of the proposed residential development to the existing Corn Exchange means there is a strong risk of acoustic breakout between the properties. This could give rise to noise complaints from new residents which could lead to time restrictions or programme limitations for the Corn Exchange. This would detrimentally impact its viability, with a real risk it that it may cease operation altogether. Even if new residents are prohibited from submitting complaints by way of a planning condition, it would not stop them lobbying the Council for a Noise Abatement Order to be issued. Existing noise from the Corn Exchange may also impact on the living conditions of new residents of those properties. It must be considered that noise impacts may not solely arise from performances, but also from daytime rehearsals and other events.

**Theatres Trust**

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**Chair** Tim Eyles **Director** Jon Morgan

**Trustees** Richard Baldwin, David Blyth, Pam Bone, Paul Cartwright, Paddy Dillon, Ruth Eastwood, David Ian, Richard Johnston, Gary Kemp, Dara Ó Briain, Simon Ricketts, Peter Roberts, Ann Skippers, Anna Stapleton

The National Advisory Public Body for Theatres

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The NPPF provides clear directions to local planning authorities about the importance of safeguarding and promoting cultural activities and venues in their areas:

- One of the 12 core planning principles (paragraph 17) is the need to plan for culture to support social well-being and sustainable communities.
- Paragraph 23 recognises the important role town centres play in supporting communities and notes that cultural venues make a valuable contribution to the vibrancy and success of these centres.
- Paragraph 70 states that in 'promoting healthy communities', planning decisions should 'plan positively for cultural buildings' and 'guard against the loss of cultural facilities and services.'
- Paragraph 156 directs local planning authorities to ensure their local plan includes cultural policies that reflect the NPPF.

Policy CF1 of the South Oxfordshire Local Plan 2011 recognises the need to safeguard community facilities, with paragraph 5.112 acknowledging importance of protecting the community use of sites in the interest of the well-being of local communities. This is reflected by emerging Policy CF1 of the South Oxfordshire Local Plan 2011-2033.

Culture and cultural activity helps develop a sense of place and makes communities unique and special. It contributes to the vibrancy of town centres, the tourist and night time economy. Cultural and community facilities support the day to day needs of local communities and help promote well-being and improve quality of life. Participation in cultural events can contribute to social cohesion, reduce isolation and loneliness, encourage learning and the development of skills, as well as provide the entertainment and stimulation needed to develop vibrant communities and grow the economy. There is also a growing awareness of the role that the arts and culture play in attracting and retaining residents and a skilled workforce.

Paragraph 123 of the NPPF also seeks to ensure that existing businesses do not have unreasonable restrictions placed on them as a result of changes in nearby landuses, and paragraph 5 of Planning Practice Guidance on Noise requires proposals such as this to be "carefully considered". Despite this, closures and curtailments of existing noise-generating uses such as theatres, music venues and pubs as a result of similar neighbouring developments have been seen across the country. This has resulted in a Planning (Agent of Change) Bill going before Parliament which would more rigorously protect existing uses and put an even stronger onus on new development to avoid such conflict. The Secretary of State has indicated that the 'Agent of Change' principle will be included within the forthcoming draft of the revised NPPF. The recognition of this issue at the highest level of policy-making highlights the validity of concerns on this scheme received by the Council to date, and the seriousness of the challenge for the Corn Exchange should this application be approved.

We would also strongly encourage the Council to consider its responsibility in ensuring its heritage assets are maintained and are viable in line with paragraph 126 of the NPPF and to avoid conflict with the asset's conservation as set out in paragraph 129.

We note that within the Conservation & Design Officer's comments is a reference to an apparent objection to this proposal from South Oxfordshire's Environmental Health team on noise grounds, although the objection does not appear to be publicly available. In the absence

of access to that information, we would concur with the Conservation & Design Officer that while concern about noise impact remains the Corn Exchange will be put at undue risk and therefore the proposal cannot be supported.

It also appears that at present no acoustic survey has been carried out, or made publicly available.

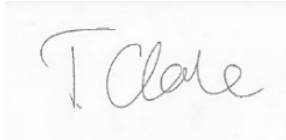
In conclusion **we recommend that the proposal should be refused**. This is on the grounds of protecting the future viability of the Corn Exchange as a cultural asset in line with paragraph 70 of the NPPF, and in turn to maintain its heritage value, and because of the potentially poor living conditions and detrimental impact on the wellbeing and quality of life of future inhabitants as a result of existing noise from the Corn Exchange.

However, if the Council is minded to approve this proposal the Trust requests that conditions are enforced to mitigate any likely impacts on the Corn Exchange. These would include

- a requirement that construction works and other noisy operations are to be undertaken outside of the Corn Exchange's normal performance times;
- a requirement that any works required to minimise acoustic breakout from the Corn Exchange or to otherwise make the development compatible with the Corn Exchange are funded entirely by the applicant/developer and completed before occupation of the new residential units;
- that future occupants may not submit noise complaints relating to the activities of the Corn Exchange.

We would also suggest that a Section 106 agreement could be used to fund or contribute towards other identified works or programmes at the Corn Exchange.

Yours faithfully,



Tom Clarke  
National Planning Adviser

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