

**Land Adjacent To The Oxford Canal Spiceball
Park Road Banbury**

20/01103/DISC

Case Officer: Samantha Taylor

Recommendation: Approve

Applicant: Ian Wallace

Proposal: Discharge of Condition 14 (Bridge Details) of 17/00284/REM

Ward: Banbury Cross and Neithrop

Councillors: Cllr Hannah Banfield, Cllr Surinder Dhesi; Cllr Cassi Perry

Expiry Date: 22 June 2020

Committee Date: 13th August 2020

URGENT ITEM OF BUSINESS

The above referenced planning application relates to critical infrastructure which is an integral part of the delivery of the Castle Quay 2 development. The timetable for delivering this project has been impacted by the Covid-19 restrictions and in order for the development to be kept on time and deliverable, it is essential that a decision is reached on this application urgently. If a decision cannot be reached, there are significant delays and risks that may impact upon the delivery of the Castle Quay 2 Project.

This application could not be placed on an earlier agenda due to the holding objection previously received from the Canal and River Trust (CRT). An updated response has been received via the applicant today, indicating that the CRT have no objections.

Main Report

1. APPLICATION SITE AND LOCALITY

1.1. The application site is located within Banbury Town Centre, to the north of Castle Quay and adjacent to the Oxford Canal. The site is part of the Castle Quay 2 redevelopment which includes the provision of a new supermarket, retail and leisure facilities.

2. CONSTRAINTS

2.1. The application site falls within Flood Zone 2 and is adjacent to the Oxford Canal Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. The proposal seeks to discharge condition 14 (requiring details of the design for the pedestrian bridge crossing the canal) of the reserved matters consent 17/00284/REM, which is the main detailed consent for the development of Castle Quay 2.

4. RELEVANT PLANNING HISTORY

4.1. The following planning history is considered relevant to the current proposal:

- 4.2. 17/00284/REM - Reserved Matters Application to 16/02366/OUT across the whole development site is sought. Application for approval of reserved matters for scale, layout, appearance and landscaping. Approved.
- 4.3. 16/02366/OUT – Removal/ Variation of conditions 4 (list of approved drawings) and 9 (enhancement of River Cherwell) to 13/01601/OUT - Condition 4 to be varied to reflect alterations in the access and servicing strategy for Block C, with variations to maximum deviations in block and Condition 9 to be removed as no longer justified. Approved
- 4.4. 13/01601/OUT - Outline planning permission for the redevelopment of land adjacent to the Oxford Canal comprising; the demolition of the Castle Quay Shopping Centre northern car park and the General Foods Sports and Social Club; change of use of part of the ground floor of the Castle Quay Shopping Centre southern car park and associated works; the erection of a retail foodstore (Use Class A1), hotel (Use Class C3), cinema (Use Class D2), restaurants and cafes (Use Class A3 and A4) and altered vehicular and pedestrian accesses, landscaping, construction of infrastructure, car parking and associated works, including glazed canopy over the Oxford Canal and the construction of pedestrian/cycle bridges over the Oxford Canal and River Cherwell. Details of new vehicular access off Cherwell Drive and alterations to Spiceball Park Road. Approved.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO CONSULTATION

- 6.1. OCC TRANSPORT: **Objection** – minor concerns are raised relating to the positioning of handrails at a certain height, thickness of the flashings, height of the risers and slope gradient.
- 6.2. CANAL AND RIVER TRUST: **No Objections** – whilst the Trust had raised minor concerns about lighting, the design of the bridge, and the design of the access ramp, an updated response has been received which confirms that following dialogue between the CTA and the applicant, the plans as submitted are acceptable.

7. APPRAISAL

- 7.1. The design of the bridge is acceptable in terms of its character and appearance and will contribute to the contemporary style and aesthetic of the Castle Quay 2 development as a whole.
- 7.2. Whilst the objection from the County Council is noted, the objections are considered relatively minor and appear to express design preferences of the County Council rather than raising matters of fundamental importance to the acceptability of the design and useability of the bridge.
- 7.3. Therefore, whilst these comments are acknowledged, following confirmation that the Canal and River Trust's objections did not relate to technical matters and only to design details regarding the thickness of the bridge and landing areas, Officers consider the design is appropriate. The documents provided are considered to fulfil the requirements of Condition 14.

8. RECOMMENDATION

That Planning Condition 14 of 17/00284/REM be discharged based upon the plans and documents submitted with the application.

CASE OFFICER: Samantha Taylor

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