

**Case Officer:** Samantha Taylor

**Applicant:** Cherwell District Council

**Proposal:** Discharge of Condition 27 (Highway Signage Strategy) of application 16/02366/OUT (Castle Quay 2)

**Ward:** Banbury Cross and Neithrop

**Councillors:** Councillor Banfield, Councillor Hodgson and Councillor Perry

**Reason for Referral:** Application affects Council's own land, and the Council is the applicant

**Expiry Date:** 17 March 2021                      **Committee Date:** 12 August 2021

---

**RECOMMENDATION: THAT CONDITION 27 OF APPLICATION 16/02366/OUT BE DISCHARGED**

**1. APPLICATION SITE AND DESCRIPTION OF APPROVED DEVELOPMENT**

- 1.1. The application relates to the provision of highway directional signs within the local vicinity of the development site, which sits adjacent to the Oxford Canal at the rear of the Castle Quay shopping centre, within Banbury Town Centre.
- 1.2. The approved development includes provision of a retail food store, hotel, cinema, restaurants and cafés along with necessary access, landscaping, infrastructure, car parking and other associated works.

**2. CONDITIONS PROPOSED TO BE DISCHARGED**

- 2.1. Condition 27 (Highway Signage Strategy) – this condition states:  
*'Prior to the first use of the development, a highway signage strategy shall be submitted to and approved in writing by the Local Planning Authority. The agreed signage strategy must be fully implemented prior to the first use of the development.'*
- 2.2. The application is supported by plans showing the location and details of the signage panel proposed.

**3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:  
  
20/00329/CDC - Change of use from coach parking to car parking modifications to layout of hardsurfacing and landscaping. Resolved to grant planning permission, awaiting S106 Legal Agreement. Decision not issued yet.  
  
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

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; erection of a retail foodstore (Use Class A1), hotel (Use Class C3), cinema (Use Class D2), restaurants and cafés (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.

#### **4. RESPONSE TO PUBLICITY**

- 4.1. This application has been publicised by way of a site notice displayed near the site and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **26 February 2021**, although comments received after this date and before finalising this report have also been taken into account.
- 4.2. One comment has been received from a third party and is summarised as follows:
  - Request that numbers are added to the signs on the plans
  - Coach logos appear on the signs, but should these be removed due to the change of use of the Compton Road Coach Park to a car park
  - Opportunity to remove other signs in the local area
- 4.3. The comment received can be viewed in full on the Council's website, via the online Planning Portal.

#### **5. RESPONSE TO CONSULTATION**

- 5.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

##### CONSULTEES

- 5.2. OXFORDSHIRE COUNTY COUNCIL – Comments received. The Highways Officer notes that within relatively close proximity to the site, application 20/00329/CDC for the change of use of the Compton Road Coach Park to a standard car park has received a resolution to grant consent from the Committee in March 2020, but the necessary s106 has not yet been finalised. The signage contained within this application includes directional signs to the coach park. As such, the Officer queries whether the signage should be amended to remove reference to the coach park and instead, direct to public car parking.
- 5.3. *Officer Comments: Whilst a resolution to approve the application 20/00329/DISC has been made by the Planning Committee, the application is awaiting the completion of a S106 Legal Agreement. The Legal Agreement secures financial contributions towards the amendment of directional highway signs. In addition, as the development has not commenced, the parking facility remains as a Coach Park until such time development has commenced. Any amendments to the signage required, should development of the change of use commence, would be secured*

through the S106 of application and not the current discharge of condition application.

## **6. APPRAISAL**

- 6.1. Condition 27 of the approved application 16/02366/OUT requires the submission of an acceptable Highway Signage Strategy.
- 6.2. The application includes the submission of the positioning and details of the highway signs that are proposed. The proposed road, markings and signs are shown, and include various directional signs for car parking, one-way systems, loading areas, pedestrian and bicycle routes and other standard highway signs.
- 6.3. The strategy has been developed in accordance with the '*Traffic Signs Regulations and General Directions 2016*' and has been discussed with Oxfordshire County Council (OCC). Technical Approval has been received from OCC and this has been provided as part of the application submission. Therefore, whilst comments have not directly been received from OCC, the technical approval from OCC includes the plans that have been submitted as part of this application. Therefore, the proposed details are considered acceptable and offer an acceptable highway signage strategy.
- 6.4. It is acknowledged that an application (20/00329/CDC) has been received by Cherwell District Council for the change of use of the Compton Road Coach Park to a standard car park due to the need for additional standard parking. The application was heard by the Planning Committee and a resolution to grant planning permission was made. The legal agreement in conjunction with this application is being progressed and it is expected a decision will be issued shortly.
- 6.5. Whilst it is acknowledged that should the Coach Park change of use be implemented, the proposed strategy would require adjusting, the scheme submitted reflects the current highway situation and is acceptable. It is unclear whether the change of use of the Coach Park will be implemented. It is not the responsibility of a development to account for speculative development. In addition, it is noted that the legal agreement for the Coach Park change of use relates to the amendment of highway signage and requires the provision of new directional signs to the other Coach Parking spaces. As such, the submitted scheme remains acceptable, despite the resolution to approve the change of use of the Compton Road Coach Park.

## **7. RECOMMENDATION**

- 7.1. That Planning Condition 27 of Application 16/02366/OUT be discharged based upon the following:

### Condition 27 (Highway Signage Strategy)

- Additional/Delivery Signage 5764-H106 Rev C PH1
- Road Markings and Signage 5764-H204 Rev D PH2