

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 hard surfacing and landscaping. Resolved to grant planning permission, subject to a S106 Legal Agreement. Approved.

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 food store (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, the coach park at Compton Road was the subject of application 20/00329/CDC for the change of use to a standard car park. The Planning Committee resolved to grant permission 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: Noted and addressed in the 'Appraisal' section of this report.*

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 design of the signage panels is consistent with other highway signage in the local area and officers consider the visual appearance to be appropriate.
- 6.4. 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. Comments have been received from OCC in respect of the signs and confirm that the drawings were approved as part of the Technical S.278 works. As such, officers consider that the signage details do not cause harm to highway safety, having been granted technical approval by OCC as highways authority.
- 6.5. The application under consideration was deferred from the Planning Committee meeting on 12th August 2021 to allow for the adjacent application at Compton Road (20/00329/CDC) to be determined and for amendments to be made to the signage to remove reference to the coach park. The Compton Road application for the change the use of the coach park to a standard car park has been determined and a decision issued in line with the Committee's resolution. Planning permission has been granted subject to conditions and a s.106 agreement. However, due to the delays in determining the Compton Road Coach Park, the signage panels as submitted (and granted technical approval by OCC) indicating the current coach park have been put up. As such, the application is now retrospective.
- 6.6. Planning permission 20/00329/CDC for the car park at Compton Road requires a financial contribution to the provision of amended signs directing coaches to alternative locations within the town centre. It is understood that the contribution has been paid to OCC. It is now for the County Council to erect replacement signs once the car park is operational.
- 6.7. With regard to the current proposal, the signage panels erected as shown on the submitted plans comply with the technical requirements of the County Council as highway authority and are acceptable in terms of highway safety and appearance. Officers do not consider that there is any harm caused by what is now a retrospective application. The submitted scheme as implemented is acceptable, notwithstanding the fact that the County Council would look to replacing the signs upon formal operation of the approved Compton Road Car 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