

# **Bicester Town Centre Development, Manorsfield Road, Bicester**

**13/00978/ADV**

**Ward:** Bicester Town

**District Councillor:** Cllrs Mrs Diana Edwards  
& Cllr D M Pickford

**Case Officer:** Rebecca Horley

**Recommendation:** Approval

**Applicant:** Town Centre Retail (Bicester) Ltd c/o agent WYG Planning & Environment

**Application Description:** 1 No. toilet signage; 1 No. pop-in centre signage; 1 No. café signage and 1 No. shopmobility signage

**Committee Referral:** Council's interest in the land

## **1. Site Description and Proposed Development**

- 1.1 The siting of the signs form a row along the east side of Manorsfield Road attached to the fascias of the new units which form part of the new town centre shopping development. Various units face onto the main road and each sign is intended to serve the units as specified. The site visit revealed that the signs are already in place. The signage is formed by uniform 300mm high lettering on a 900mm high fascia panels. Each letter return is proposed to be 30mm deep finished with coloured acrylic, the front facing being a satin metal finish allowing light to penetrate through.
- 1.2 The site is constrained by its proximity to the Conservation Area though the siting of the adverts are not within the Conservation area. There are also listed buildings near to the red line area of the site but these are on Sheep Street. There nearest residential properties are some 50m from the site on the west side of Manorsfield Road

## **2. Application Publicity**

- 2.1 The application has been advertised by way of a site notice and press notice. The final date for comment is 15<sup>th</sup> August 2013. At the time of writing the report, no comments had been received.

## **3. Consultations**

- 3.1 **Bicester Town Council:** Comments awaited.

### **Cherwell District Council Consultees**

- 3.2 None

### **Oxfordshire County Council Consultees**

- 3.3 **Highways:** No objection.

## 4. Relevant National and Local Policy and Guidance

### 4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

### 4.2 Other Material Policy and Guidance

National Planning Policy Framework

Cherwell Local Plan - Proposed Submission Draft (August 2012) and changes (March 2013)

The consultation to the draft Local Plan is now concluded. Although this plan does not have Development Plan status, it can be considered as a material planning consideration. The plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case and are not replicated by saved Development Plan policy:

ESD16: The Character of the Built and Historic Environment

## 5. Appraisal

5.1 The purpose of the planning system is to contribute to the achievement of sustainable development and the NPPF defines this as having 3 dimensions: economic, social and environmental. Paragraph 14 of the NPPF states that where the development plan is absent, silent or relevant policies are out of date, in order to reflect the thrust of the guidance for a *presumption in favour of sustainable development*, planning permission should be granted unless harm can be identified. The NPPF further advises that the key interests are considered to be as follows:

- Public safety
- Amenity

### Public Safety

5.2 Oxfordshire County Council Highways raises no objections to the application on the grounds of highway safety. It is considered that the application will not have a detrimental impact on public safety in accordance with Government guidance contained within the NPPF.

### Amenity

5.3 Paragraph 67 of the NPPF states that 'only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the Local Planning Authority's detailed assessment'. Where there is a historic context, para 126 states that LPAs should take into account the desirability of sustaining and enhancing the significance of heritage assets with the desirability of new development making a positive contribution to local character and distinctiveness. It is clear also from para 56, that the Government attaches great importance to the design of the built environment. Development should contribute positively to making places better for people.

5.4 No illumination is proposed for this advert which is the most preferred advertisement solution. Any reference to lighting is a result of the nature of the lettering which will allow light to penetrate through from the unit and intended to add some interest. There

is a historic context nearby (Conservation Area including listed buildings), it is considered that the relationship to the historic core of Sheep Street to the actual siting of the signs is not appreciable and ought not to be a constraint to the development. The application is considered acceptable in terms of the impact it will have on the visual amenities of the area.

- 5.5 In residential amenity terms, the signs are at pedestrian level and unlikely to be directly visible from any residential properties so no harm will be caused.

## Engagement

- 5.6 With regard to the duty set out in paragraphs 186 and 187 of the National Planning Policy Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application.

## Conclusion

- 5.7 Having considered the issues arising, namely effect on public safety and amenity it is considered that the advertisement proposal is acceptable in terms of its compliance with policy and central Government guidance and ought to be approved, subject to conditions.

## 6. Recommendation

**Approval**, subject to:

- i) officers being given delegated authority to consider the satisfactory resolution of any adverse comments being received prior to the expiration of the consultation period (15<sup>th</sup> August), and
- ii) the following conditions:

1. At the end of a period of five years from the date of this decision, this consent for the display of advertisements will lapse.

Reason - By virtue of Regulation 14 (7) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

2. Except where otherwise stipulated by condition, the application shall be carried out strictly in accordance with the following plans and documents: Drawing no. 04075/P7-02 Rev B received with the application.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. (a) No advertisement shall be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
  - (b) No advertisement shall be sited or displayed so as to:-
    - (i) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
    - (ii) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
    - (iii) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(c) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(d) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(e) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason - By virtue of Regulation 14 (1) (a) and Schedule 2, of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

**STATEMENT OF ENGAGEMENT**

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.