

Site Address: Bicester Town Centre
Development, Manorsfield Road, Bicester

Application No: 13/01393/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: Various signage (1 No. illuminated and 21 No. non-illuminated)

Committee Referral: Council's interest in the land

Committee Date: 31.10.13

1. Site Description and Proposed Development

- 1.1 The siting of the signage is in various locations in and around the whole town centre re-development scheme area between the entrance at Market Square, the car park entrance on Manorsfield Road and the 2 no. entrances off Sheep Street. The application is retrospective and includes 21 no. non-illuminated signs which are mainly directional signs for Pioneer Square and 1 that is illuminated which is the Sainsbury's sign located between the circular car park entrance and exit off Manorsfield Road.
- 1.2 The site is constrained by the Bicester Conservation Area within which 13 of the signs are proposed to be located and these are featured along Sheep Street and Market Square but also include wayfinding monoliths at the end of Wesley Lane and Evan's Yard. Two of the signs (at the entrance to Evan's Yard) are also mounted on listed buildings so require listed building consent (13/01526/LB) but this will be a delegated matter. There are also listed buildings near to the red line area along Sheep Street and Market Square so also considered to be constraints to the proposal.

2. Application Publicity

- 2.1 The application has been advertised by way of 3 site notices and a press notice. The final date for comment is 31st October 2013 and to date no comments have been received.

3. Consultations

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

Cherwell District Council Consultees

- 3.2 **Conservation Officer:** A response has been received so far in relation to the listed building application only (13/01526/LB refers) where it is noted that the affected signs (Type 10) is unlikely to have more or less of an effect as the existing signage in and around the site.

Oxfordshire County Council Consultees

- 3.3 **Highways:** No objections to the proposal in highway safety terms. There is one issue that needs clarifying and that relates to the banner signs on the lamp columns and whether or not the street lighting officers at OCC have agreed to their siting and are happy with them. This can be dealt with by a planning note.

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

ENV1: Pollution control

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Draft Submission Local Plan (October 2013)

The Proposed Submission Local Plan was published for public consultation in August 2012. A further consultation on Proposed Changes to the draft plan was undertaken from March to May 2013. On 7 October 2013, the Draft Submission Plan was approved by the Council's Executive. The Plan is scheduled to be presented to Full Council on 21 October 2013 for endorsement as the Submission Local Plan.

At the present time the Plan carries limited weight. Once formally 'Submitted' to the Secretary of State for Communities and Local Government for Examination, the weight that can be attached to the Plan will increase. However, it will not form part of the statutory Development Plan until the Examination process is complete and the Plan is formally adopted by the Council (anticipated mid 2014).

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 Taking the Sainsbury’s illuminated sign, this is similar in nature to the other approved Sainsbury’s signs and is proposed to be halo illuminated to a luminance level of 65 cd/m which is considered to be quite low and therefore acceptable at a modern shopping centre. In residential amenity terms it is the sign nearest to properties at Hunt Close but being at a low luminance level, centrally located and in a recessed position between the car park access and egress, it does not have a harmful effect on neighbouring residential amenity.
- 5.5 All the remaining signs are non-illuminated and of an acceptable design as they seek to direct shoppers to the new Pioneer Square. Of particular note are two feature banner signs on lampposts by the Crown Walk entrance off Sheep Street but it is considered that they do not harm the settings of listed buildings in proximity or the Conservation Area as they are in a relatively confined area. Another banner sign has been positioned at the Market Square entrance affixed to a building which is of a size and nature that would ordinarily be considered unacceptable as it is fixed and protruding instead of more traditional design and materials. However, it is considered that an exception can be made in this case because the building to which it is attached is not listed and is in fact on a frontage which is recessed so does not protrude in the usual way. Some uniformity with the other signs is required and being relatively discrete it does not have a detrimental impact on the Conservation Area or the setting of the listed building at 20B Market Square.

Engagement

- 5.6 With regard to the duty set out in paragraphs 186 and 187 of the 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 approval of development that accords with sustainable development principles as set out in the NPPF.

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. The visual amenities of the area will not be harmed and the settings of the listed buildings and the Conservation Area will be sustained and enhanced. Further, there is no concern raised with regard to public safety. The application is recommended for approval, subject to conditions.

6. Recommendation

Approval, subject to 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 nos. 04075/P9-01A Rev A, P9-02A Rev A, P9-03 Rev B, P9-04 Rev B, P9-05 Rev A and the Schedule of Proposed Advertisements 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.

4. The maximum luminance of the 1 No. internally illuminated sign hereby approved shall not exceed 100 cds per sqm.

Reason - In the interests of amenity and to comply with Government guidance contained within the National Planning Policy Framework.

PLANNING NOTE

1. The applicant is advised to seek confirmation from Oxfordshire County Council Street Lighting Team that they are in agreement to the siting of the banner signs on the lighting columns. Please call 01865 792422.

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.