

Appendix 2

CHERWELL DISTRICT COUNCIL

PLANNING COMMITTEE

6 February 2014

WRITTEN UPDATES

RUNNING ORDER: 1

Agenda Item 10 Land adj Oxford Canal, Banbury 13/01601/OUT

- The Canal and River Trust have continued their negotiations with the applicants and have agreed a package of funded improvements to the towpath etc.
- Members will recall that the application was deferred from the last Committee because of unresolved issues concerning traffic generation and the possible impact of the proposal upon the surrounding highway network. On Wednesday 5th February Oxfordshire County Council revised it's response to the applications from an objection to no objections subject to conditions, legal agreements and informatives. The full text of their letter is attached to the end of this update report
- In the light of OCC comments above they have provided a list of the heads of terms , and conditions they would recommend .As follows

Legal Agreement required to secure:

- ˘ S38 Agreement – adoption of private land for use as public highway
- ˘ S278 Agreement – works on the public highway (realignment of Spiceball Park Road carriageway, replacement of the roundabout at the south end of Spiceball Park Road, new pedestrian infrastructure, traffic calming features, road markings, street-lighting, drainage, highway signage, bus stop on Cherwell Drive, new bus shelter and bus stop

markings, pedestrian crossing improvements and installation of SCOOT traffic signal system for Castle Street/ Southam Road corridor)

~ S106 Agreement –transport / highway financial contribution of £6,923,017 index-linked required (see separate justification)

Highway Conditions:

If the planning authority is minded to approve the application, the following conditions are required in addition to the aforementioned legal agreements / planning obligations:

Access – Cherwell Drive

~ Grampian Condition – No reserved matters or full application to be submitted until full details of the proposed servicing access from Cherwell Drive, to include a road safety audit, structural report and detailed plans, are submitted for consideration and approval.

Roundabout and servicing/ delivery provision

~ Grampian Condition – No reserved matters or full application to be submitted until full details of the proposed replacement roundabout on Spiceball Park Road and access, parking and turning arrangements for servicing and delivery vehicles are submitted for consideration and approval.

Access: Full Details

~ Prior to the commencement of the development, full details of the

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means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the

approved details.

Turning Area and Car Parking

~ Prior to the commencement of the development, full specification details (including construction, layout, surfacing and drainage) of the turning areas and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Highway infrastructure works details

~ Prior to the commencement of the development, full details of the works to be carried out on the public highway, including realignment of the carriageway of Spiceball Park Road, replacement of the roundabout at the south end of this road, provision of new pedestrian infrastructure, traffic calming features, road markings, street-lighting, drainage, highway signage, bus stop on Cherwell Drive, bus shelter, road markings and pedestrian crossing must be submitted to and approved in writing by the Local Planning Authority . Thereafter, and prior to the first occupation of the development, the highway works must be constructed in accordance with the approved details.

Highway signage strategy

~ Prior to first use of the development, a highway signage strategy must be submitted to, and approved in writing by, the Local Planning Authority.

The agreed signage strategy must be fully implemented prior to first use of the development.

Cycle Parking Provision

~ Prior to the first use or occupation of the development, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Travel Plans

~ Prior to the first occupation of the development hereby approved, Travel Plans, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

Access to Adjoining Land

~ Provision shall be made within the layout for vehicular and/or pedestrian access to serve the land adjoining to Mill Arts Centre, Castle Quay shopping centre and riverside path.

No Surface Water Drainage to Highway/ Neighbouring Properties

~ Prior to the commencement of the development hereby approved, full details of a SUDS drainage scheme to prevent any surface water from the

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development discharging onto the adjoining highway or neighbouring properties shall be submitted to and approved in writing by the Local

Planning Authority. Thereafter, the drainage scheme shall be implemented and retained in accordance with the approved details.

Construction Traffic Management Plan

~ Prior to the commencement of development, a construction traffic management and phasing plan must be submitted to, and approved in writing by, the District Planning Authority. The construction works must be carried out in accordance with the details approved in the construction traffic management plan. Reason: To mitigate the impact of construction vehicles on the surrounding highway network, road infrastructure and local residents, particularly at morning and afternoon peak traffic times.

Pedestrian Access

~ During the opening hours of the Castle Quay 2 the main pedestrian routes through the adjacent Castle Quay Shopping Centre must remain open so as to facilitate pedestrian access to and from the town centre and Bridge Street

It will be necessary for the HDM to critically examine the wording of these conditions and the applicability of some of them on this outline consent. In addition it will clearly be necessary to have further discussions with the applicants about the heads of terms and infrastructure payments sought. It is recommended that the resolution to approve be subject to this being done, and subsequently being agreed by the Chairman

- County Council has sent through a document further explaining how earlier concerns about the service yard access to Cherwell Drive and the turning arrangements in Spiceball Park Road can be overcome by two of the conditions recommended above

- Oxfordshire County Council's response to the car parking provision has also been received yesterday. The document explaining their position is attached at the end of this report. It will be noted that they recommend the imposition of a Grampian condition which would cover car parking provision, a wider Banbury car management strategy and robust travel plans.

- Discussions have been held with the senior officers responsible for the car park functions of the Council. Whilst no objections have been raised, questions remain about the overall spare capacity of the town centre car parks and the possible implications for the parking revenue of the Council (not a planning matter, but clearly something that the Council needs to consider elsewhere as part of the consideration of this partnership scheme)

If Members are otherwise content with the scheme and minded to resolve to approve the application it is recommended that the resolution is subject to the further examination of the issue of car parking, including the receipt of further information on the extent of the existing spare capacity within the town centre car parks, and that the scheme shall only be approved upon the HDM being satisfied with the outcome of this analysis and agreed with the Chairman.