

Appendix 3

Design and Conservation

Cherwell District Council

Design Advice

Project Number	13/01601/OUT
Applicants Name	Scottish Widows PLC & Scottish Widows Unit Funds Ltd
Application Type	Outline
Location	Land Adjacent To The Oxford Canal Spiceball Park Road Banbury
Case Officer	Bob Duxbury

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; the erection of a retail food store (Use Class A1), hotel (Use Class C3), cinema (Use Class D2), restaurants and cafes (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

Consultation on Additional plans / information

This design note is based on a review of the recently submitted plans for the Spiceball site in Banbury. This is a key Town Centre site, located to the north of Castle Quay and the south of Spiceball Leisure Centre. Extensive pre application meetings were held with the developer and their design team last year, leading to the recommendation to approve the application by the planning Committee, subject to outstanding highway and S106 issues in **February** this year.

The recently submitted plans have reduced the scale of the scheme. Key Changes include:

- Retention of the General Foods Social Club.
- Retention of the existing Spiceball Bridge (with substantial structural remodelling of the southern end).
- Reduction in the public realm area.
- Removal of the high profile canopy, which connected the two spaces on either side of the canal.
- Realignment of pedestrian routes across the site.
- Changes to the profile of the retail units and cinema.
- Changes to the profile of the hotel.

The retention of the General Foods Social Club has led to some fundamental changes in the way that the scheme is configured and will be used. The design response to these changes to date has been to fit the retrofit the previous scheme to the new constraints. This has significantly changed the relationship between the three built elements, led to a major reduction in the level of public realm and the realignment of pedestrian routes.

The Councils SPD / Development Objectives for the Site

The Draft Spiceball SPD provided guidance for the development of this strategic town centre site. Recommendations included:

- Improve the connectivity of the Town Centre area; with linked development creating physical connections between the Spiceball Leisure Centre, the Oxford Canal Area, the Castle Quay shopping centre and town centre beyond.
- Improve the character and setting of the Oxford Canal and the Conservation Area.
- Create a comprehensive development plan for the whole area, which links the development proposals together.

It is our view that while the proposed scheme helps address some of these issues, it does not provide a comprehensive development approach. A meeting was arranged with the developers and their architect in June this year, where a number of key issues were discussed, including:

- The relationship between the supermarket and the main canal retail block.
- The sequence and the quality of the public realm environment.
- Pedestrian permeability through the site.
- Reconfiguration of the restaurant and retail elements.
- The design and massing of the hotel.

A number of small changes have been made to the plans which begun to address these issues, but it is hoped that further consideration is given to these elements to ensure that the principles and objectives for the development of the area, set out in the draft SPD are met.

It is important to note that the level of detail provided in the most recent applications is significantly below that provided in the original planning application, submitted in October last year. Therefore it will not be possible to provide the same level of analysis on some of the details on the resubmitted scheme as I did in my previous comments. There is some repetition with the previous comments where these are still relevant to the scheme.

Site Constraints

The Spiceball site is a complicated brown field area with multiple issues to consider. This includes flooding, level changes, existing uses and parking. In addition, the site brief includes a number of complicated large scale town centre uses.

- The site levels are complicated. Spiceball Park Road is normally higher than the land to both the north and the south, though the levels become more even to the far east of the site.
- The site is prone to flooding and it is important that the area is designed in a way that does not reduce the overall flood capacity of the site. The development team have coordinated and tested development plans with the Environment Agency and a strategy to design flood tolerant car parking and servicing areas. The coordination of building levels and flood capacity across the site has been a critical part of the design process.
- The site is accessed from Cherwell Drive. This route connects the site to Castle Street and to the M40 via Concorde Avenue and A422. Cherwell Drive is an elevated route, rising above the Oxford Canal and falling to the roundabout junction with Spiceball Park Road.
- Concorde Avenue forms the south east edge to the site. The route is elevated above the site. There are pedestrian connections under this route which connects the Mill Arts Centre to the train station.
- The Oxford Canal forms the southern boundary and the River Cherwell forms the northern boundary to the site. The Oxford Canal was constructed in the 18th century and has a unique character. Its importance to the District has been acknowledged through its designation as a Conservation Area. The River Cherwell is an important natural feature, with an important ecological and landscape role for the area.
- Castle Quay shopping centre is located to the south of the site boundary, beyond the canal. Some of the existing parking areas are located in the development area and there are a number of bridges which connect the two spaces. Reinforcing the links between the site and the town centre will be critical to the success of the scheme.

- The new Spiceball Sports Centre is located to the north of the site boundary. This area currently feels detached from the Town Centre and most people access the area by car. It is critical that the proposals for the site provide good pedestrian links to knit this area into the Town Centre.
- The site is important in terms of pedestrian connections within Banbury Town Centre. In particular the area should reinforce good pedestrian links to Spiceball, Castle Quay / bus station, Canalside / train station and Banbury Country Park.
- A number of existing buildings can be found on the site. The Kraft Social Club is located on site and the recently submitted plans assume the retention of this building. The Mill Arts Centre is an important community resource and historic building to the east of the site. The Banbury Museum is located in the south of the site, next to Chamberlin Court, which comprises apartments for retired residents.

Design Principles and Concepts

The proposed development forms one of a series of strategic regeneration projects for Banbury Town Centre. When the leisure centre was redeveloped in 2008 a Design Guide was established for the area that set out a number of key objectives for the site. While there has been some change in approach, many of these principles still stand.

- Maximising the value of the Oxford Canal and making it a central feature of the Town Centre.
- Develop a new cultural quarter for Banbury, which links Castle Quay to Spiceball leisure area through a mixture of retail and leisure.
- Improve connectivity within Banbury Town Centre.
- Improve the leisure and cultural offer.
- Improve the retail floor space in the Town Centre.

Design Brief

The brief for development has changed a little since the original application. The proposals still include a number of large format uses, alongside substantial parking and infrastructure requirements. The overall level of retail development proposed has been reduced, as has the public realm provision. There have also been smaller changes to the proposed hotel and cinema elements.

CDC has always recognised that the site brief is challenging for the site. In particular the integration of large format uses, alongside substantial parking and infrastructure, while creating a vibrant new town centre quarter has always been a challenge. One of the key elements that has changed substantially is the pedestrian circulation and public realm space. While these areas are not economically productive, they were integral elements which allowed the development uses to fit comfortably together and supported connections between the different site requirements.

CDC have always acknowledged that given the complexity of the site some compromises were likely to be needed, especially with the integration of the parking, cinema and food store. It was officers view that the previous scheme provided an approach, which on balance, supported the regeneration of this complex site. Unfortunately, the resubmitted scheme has introduced changes where further compromises are being made.

Canalside Block – Cinema, A1 and A3

The main commercial block is located opposite the existing Castle Quay development, along the Oxford Canal. This is a complicated block with a number of difficult levels and issues to address, alongside large format town centre uses. The footprint of this block has changed a little since the original submission, leading to a slight reduction in the A1 and A3 offer and an increase in the number of cinema screens.

- Development in this area is focused on the canal, with a terrace level providing an interface with the new development area. The proposal shows a good relationship between the towpath and the terrace space / retail area. The terrace is elevated 1.3m above the tow path. Some separation in heights is required between these spaces in order to accommodate car parking below these units. The level at which car parking is set is driven by the flood risk / capacity across the site.
- Where previous plans had allocated a large public realm area to the south of the canal block, the current proposals show a lot of level changes happening in a tightly constrained space. This has led to a number of unsatisfactory conditions that need to be addressed, with limited space between buildings available to appropriately mitigate the level changes.
- The plan shows active retail frontage and a clear articulation of the buildings along the Oxford Canal.
- While development has been change to wrap around the pedestrian / public realm connections to the south, the design of this area could be improved to reinforce the connections to the leisure centre and support the limited public realm in this area.
- The massing of the retail element has lost its modulation and as such appears much heavier than the previous application. Where the previous application had a gable structure, which helped break down the mass and the form, the building is now consistently higher, with little to break down its massing.
- The cinema is located on the first floor of the western edge of the block. A 6 screen cinema was originally proposed, though 8 screens are now shown in the drawings. While there will be ground floor retail uses in this area, the main cinema block will have limited articulation. The concessions and bar area provides the potential for articulating this area at an upper level. The massing of this element appears heavier than in the previous application and we consider this approach less sophisticated in design terms. There is concern that this element will appear less attractive from distant views.
- The parking and service area of this element has shifted slightly and is now potentially higher against Spiceball Park Road. It is not clear how the rear of the building will be articulated and there is some concern that the area will be dominated by ramps to the west and the parking area to the north. The use of planting was discussed in previous meetings to mitigate the rear service area. While the 'greening' of buildings could be appropriate in certain locations, it is unlikely to be successful in this area, due to the north facing orientation.
- The new and existing bridges form an important feature of the scheme which will help animate the canal and provide important connections. In the initial application concern was raised about the way the proposed bridges interact with the scheme; specifically the tow path and the relationship between the different levels. Where the previous scheme had an area of extended public realm to help mitigate the different heights and spatial relationships, this area has been significantly reduced in the reconfigured scheme and while the actual ramps and steps have not been substantially altered the bridges will require careful consideration, especially in regard to their impact on the towpath. The images shown on page 13 indicate the bridge landing above the terrace level. This potentially creates an awkward relationship with the tow path for a distance. It might be appropriate to change the geometry of the bridges so they have a clearer relationship with the tow path.
- The General Foods Social Club is being retained and has been one of the main drivers of the proposed changes. The level changes in this area are a significant challenge and the configuration of the scheme as shown does not sit easily with the existing building. The levels of the retail block are elevated to support underground car parking. The distance between the two buildings is 14.5 meters. In this space there is a 6m is dedicated to the ramps and there is a 2m gap which drops approximately 2 meters against the Social Club. We are concerned about this relationship and do not feel that it offers an attractive area of public realm.
- The focus of the retail block is on the canal area. As you move eastwards into the site the area is defined by the access to the car park. As the concept diagrams on page 4 and 6 of the addendum to the Design and Access Statement illustrates, this area is very important in terms of encouraging pedestrian permeability through the site, to encourage movement

between the existing Spiceball leisure centre area and the town centre area. I am concerned that the quality of the public realm and its setting has been undermined to the overall detriment of the scheme.

Hotel

A hotel is proposed to the south of the Oxford Canal, providing a single banked development against the existing car park. The hotel element was discussed at the pre application discussions, with a number of options tabled. The massing of the hotel element has changed a little from the original application though there have been some changes in the way that it functions.

- The hotel will have A3 onto the Canal area, with the hotel facilities located on the ground floor. The hotel rooms will be located on the upper floors.
- The hotel will be up to 7 storeys (it was previously 6), this is high for Banbury Town Centre and the proposals will have to be considered in relation to the height of other buildings and its overall design.
- It would be helpful if it could be illustrated in elevation and 3D model how this building sits relative to the existing Castle Quay development and Cherwell Drive as this will be critical in ascertaining how suitable the development proposal is for the site. This is something which was requested for the original application, though becomes more critical given the increased storey height.
- The proposals for the hotel presented on p16 of the Design Addendum would not be considered appropriate and further work on the design would be required. This comment especially relates to the need to establish a sensitive massing for the area.
- At the last pre app meeting a proposal for the hotel was discussed that extended the structure to interface with the existing Castle Quay shopping centre and also substantially reduced its scale and massing. We have since been informed that this option has not been considered viable by the developers; however there were a number of merits of this, especially the reduction in height of this element which make it worth revisiting.

Food Store

We had extensive pre application discussions on the location of the food store last year. This led to the agreement that this element would be best located to the southeast of the site, based on the rationale that the integration of another large format element along the canal greatly undermines the potential of this key strategic area. At this point the reservations about the location of the food store element; were balanced by ensuring the area was well connected for pedestrians with a strong public realm.

There have been some changes to this element since the original submission last summer that change the relationship of the food store with the retail and cinema element, which is now physically and visually detached. The structure also creates a barrier to movement through the supermarket car park, which is significantly worse than the existing condition and constrains rather than encourages pedestrian movement across the site to the new Spiceball leisure centre and access to the River Cherwell.

- The proposal is for a large food store which is well set back to the east of the site and together with over 200 parking spaces takes up the whole of the northern area. This feels disconnected from the main canal block. This was an issue that was raised with the original application and the arrangements have worsened with the changes to the public realm and pedestrian access.
- The building, storage, parking and servicing area have been carefully arranged to mitigate flooding and these areas will flood during key storm events.
- The car parking is arranged over two levels, creating a large decked structure which stretches across a large portion of the north of the site.
- There are significant changes in level between the top of slab of the car park and both Spiceball Park Road and the River Cherwell. While this area has been adjusted to provide

greater space against the River Cherwell, the landscape treatment and movement area will inevitably feel a little pinched and left over compared to other areas of the site.

- The car park is tight against Cherwell Drive and the ramp to the north of the area will be highly visible.
- Changes have been made to the access area of the service yard. Where in the previous application there was a significant landscape space relating to The Mill, this has now been removed and replaced by a highway engineered roundabout with a 25m diameter. Parking for the Mill has been also been lost. These changes have an impact on the setting of The Mill.

Movement and Parking

This is an important site within the Town Centre and it is critical that the approach to pedestrian and vehicular movement is well considered. The development should improve pedestrian movement through the Town Centre as a whole, supporting the Councils aim to promote sustainable modes of transport. In particular the following relationships will be particularly critical to get right; connections around the Mill Arts Centre; coordination along the length of the tow path; the north – south connection to Spiceball Leisure Centre and the connection along the River Cherwell to the Country Park.

- The existing bridge, which currently connects Spiceball Leisure Centre to the site, is going to be retained, as it crosses the Cherwell. The bridge currently provides a pedestrian connection to Spiceball Park Road. While not shown in the plans, I would imagine that the existing structure will be substantially remodelled to enable it to meet the upper parking level. While part of the structure is being retained, the geometry of the walkway is changing and the route becoming more circuitous. Therefore the pedestrian connectivity offer in this area is considered to be worse than the current condition.
- Spiceball Park Road will continue to provide access through the site and its alignment will remain largely unchanged. Some public realm improvements are proposed along this route, including a proposed shared surface area. The quality of these proposals has reduced since the original application making it a more of a car dominated environment.
- Parking to the canalside block is arranged four levels. This increases the massing of parking proposed to the north of this block, reducing the attractiveness of the entrance to Spiceball Park Road.
- The service yard for the canalside block will be accessed from Cherwell Drive and is therefore at a higher level.
- Parking for food store is also decked across two levels. The entrance ramps up to the upper level is located at +2.4m and there is an internal ramp down to the lower level, located at -1.5. Egress is at the lower level and this area will be subject to occasional flooding.
- The decked car parking for the food store limits pedestrian movement through the site to the leisure centre. As discussed earlier in this note, the changes to the pedestrian circulation have worsened and this structure creates a barrier to movement. It is therefore important that the pedestrian link is looked at in more detail to improve this relationship.
- The service yard for the food store is at the far end of Spiceball Park Road and access to this has been changed through the use of a roundabout. This raises a number of public realm issues which were discussed in an earlier section.

Public Realm

A public realm led approach to this site has always been discussed as fundamental to the development proposals. The implementation of this is critical if this area is to be successfully connected to the town centre to optimise the areas strategic potential.

- The Oxford Canal tow path is an existing feature which runs along the length of the Oxford Canal. The tow path is more formalised in this area of Banbury, with cobbles and paving. A terrace overlooking the Oxford Canal is proposed and it is important that this area has a

close relationship with the existing tow path and builds on and reinforces the character of this feature. We are comfortable that while reduced, the proposals animate and provide activity along the canal area.

- We have some concerns that the landing points of the bridges might create areas of separation between the terrace and towpath. Further consideration of these areas will be required.
- The Sequence running north – south between Castle Quay and Spiceball leisure centre is a critical element of the scheme. This route needs to mitigate a number of level changes and the design needs to be inviting for pedestrians. Care should be taken to ensure there are no barriers and this area requires further reconsideration.
- The loss of the central green area has removed the legibility of the north south route between the Spiceball leisure centre and the town centre. In the original application, concern was raised about how the levels and bridges in this area resolved themselves at the tow path and terrace areas. As the space has become further constrained in this area, this concern has become more important and an appropriate solution to this area needs to be demonstrated.
- We have always had concern about the transition up to and across the food store car park. This was an area where a substantial amount of work was undertaken for the initial application. We have been clear that this space needs to be inviting with a substantial area dedicated to the public realm, to draw pedestrians up onto the car parking area and to ensure that the change of levels at this location and the character of the car park do not form barriers to movement.
- Spiceball Park Drive will be retained. It is currently a car dominated environment and a number of changes to this route would improve the way it is used by pedestrians. There is the opportunity for the nature of this route to change through improved paving and landscape treatment, to help it become a more pedestrian focused area.
- The River Cherwell is an important part of Banbury's ecological and landscape structure. Within the landscape corridor a footpath is proposed that will link the Mill Arts Centre to Banbury Country Park. Ideally this area would be fully integrated into the scheme, though this is limited by the food store proposals.

Views and Vistas

The site is highly visible from key routes running in and out of the Town Centre. The internal views are also important to establish an integrated development.

- The view along the Oxford Canal and from Castle Quay, as you look towards the main retail block, could be positive, depending on the architectural approach that is secured at Reserved Matters.
- The changes to the plan mean that there will no longer be structured views from the Castle Quay /Canal area to the Spiceball Leisure Centre area via the green link.
- Cherwell Drive will provide the gateway into the site and set the scene for those arriving by car. While there is a service yard in view, this should be partially mitigated by the potential articulation of the cinema bar / concessions area.
- The view of the northwest of the site will be of the food store car park and the ramp. This is a negative view and there is limited space between this structure and Cherwell drive. Some mitigation will be possible through the use of landscaping.
- The sequence along Spiceball Park Road will be dominated by the parking and service areas to the new development. Changes to the plan limited the views to the Oxford Canal and River Cherwell.
- Orientation from the Mill Arts Centre and Chamberlaine House will be mixed and consideration should be given to how the service yard / roundabout can be mitigated to improve this view.
- The use of the canopies could potentially restrict views of the canal area and their selective use needs to be carefully considered.

Architectural Design, Details and Material

The architectural design will be an important element of the scheme that helps unite the new development with the existing, especially Castle Quay Shopping Centre. The brief for the site involves large scale buildings and the way that these can be broken down into modular units which help provide a more human scale to the site is very important. While there have been significant changes to the form and massing of many of the buildings, the level of architectural input in the resubmission is less than that of the original proposals. It is therefore difficult to draw any clear conclusions regarding the architectural form and the commentary is based purely on the resubmitted information. It is clear that a substantial development in the architectural vocabulary would be required before Reserved Matters applications were submitted for this site.

- A canopy across part of the canal formed an important component in the original application. This was a bold statement which provided a 'wow' factor and covered both sides of the canal and the proposed bridge. This is one of the elements that has been lost in the latest scheme.
- New canopy structures are proposed as part of the resubmitted plans, and have been extensively used in the proposals. These sit low against the buildings and rather than forming a cohesive feature which visually unites the scheme, I am concerned that in places the use of low canopies will visually restrict the views through the site and limit a comprehensive design solution for the area. In many places it appears that the proposals are for a covered walkway, rather than an architectural element which helps draw the scheme together.
- The proposed bridge structures appear to have a flat elevation. Sufficient headroom is required for canal boats; however a better relationship with the canal tow path could be established. The bridges provide an opportunity to unite and enhance the character of the canal area. The detail of this is fundamental as the bridges need to relate well to the canal tow path as well as the new development.
- The A1 and A3 retail units have been used to wrap around the cinema along the canal edge. Further consideration is required of how these units animate the southern area of the site.
- The massing of the canal area is more solid than it was in the original proposals. The use of a consistent roofline and less modularisation of the architectural form makes this area feel more imposing.
- The cinema and food store are large scale buildings and their internal function means there is limited area for access or glazing. These structures tend to be designed as large boxes, which raises a number of issues when trying to integrate them into an urban, town centre location. The integration of the cinema can potentially be successful as it is being integrated with other uses. We are concerned however that the form of this element has become 'blocky' to accommodate 8 rather than 6 screens and the applicant needs to demonstrate that there is a sensitive design solution to these elements.

Conservation Issues

The Oxford Canal is designated as a conservation area, in acknowledgement of its economic and social value to the District. The Banbury section of the canal has a different character to other sections of this route, surrounded by a traditionally more industrial context. The Mill Arts centre is located just south of the site and proposals have an impact on the setting of this building. The building is on the Local List in acknowledgement of its heritage significance and is much valued by the community.

At present, the Oxford Canal is valued but under-used by residents of Banbury. Unfortunately, the canal is currently accessed via the rear end of a shopping centre, and footfall is generally from car park access, and for the adjacent museum. As a valuable historic asset, recently designated as a conservation area, it is important to increase footfall here without compromising the historic integrity of the area. Recent thinking has moved back to the ideals of the SPAB, where modern interventions are obvious, but has also shifted towards looking for sympathy and growth to provide

longevity for the historic environment. By encouraging people towards this area, active involvement in the canal should be increased and more notice taken of the value of the site.

- A management plan for the preservation and enhancement of Tooley's Boatyard, the Mill Arts Centre and the museum should be included in any further application so that these historic sites are put front-and-centre, informing the development of the site rather than restricting growth or being pushed to the sidelines.
- The canal was responsible for much of the early growth of the town due to the coal and cheese trade, and therefore the significance of these sites should not be minimised. I am encouraged by the introduction of interactive sites such as bridges and cafes to the area.
- The rear of buildings within public areas of Banbury could be made much more of, and hopefully if the correct approach is followed here, to redevelop the rear of Castle Quay, then other areas would follow suit, enhancing the historic area.
- The service arrangements for the food store impact on the setting of The Mill and the impact of this need to be considered in detail.
- Further work is required to ensure the appropriate integration of new buildings into the historic environment. This area of Banbury has always been predominantly brick, with some stonework. We would rather see these materials, with glass and steel, to reflect the traditional warehousing and industrial roots of this area, and steer away from timber.

Conclusions

A number of changes have been made to accommodate the General Foods Social Club within the development plan. This has led to small changes in the commercial development brief and more substantial changes to the public realm.

The following issues will need to be considered in further detail at a Reserve Matters Stage:

- **Improve the relationship between the proposed development and the public realm area that interfaces with the General Foods Social Club.**
- **Improvements to the connectivity between the Spiceball Leisure Centre and the Town Centre, ensuring that the pedestrian connections are better than the existing offer.**
- **Public realm improvements along Spiceball Park Road.**
- **Establish architectural principles and parameters to provide the starting point for design development.**
- **Reconfigure the retail elements at the southern end of the canal side block.**
- **Further consideration of the materials and massing of the architecture, especially the hotel and cinema.**
- **Consideration as to how the new cinema will be configured to provide activity on the canal, but while integrating with other uses to break down the scale of the building.**

Officer Clare Mitchell – Team Leader Design and Conservation
Claire Sutton – Senior Conservation Officer

Date 18th July 2014

Other Information It must be stressed that these comments cannot constitute a formal determination under the 'Town and Country Planning Act 1990', or the 'Planning (Listed Buildings and Conservation Areas) Act 1990' and that it contains only informal, officer advice, which cannot prejudice any subsequent decision of the Local Planning Authority. Please be advised that Building Regulations Approval needs to be addressed separately.